

H. Res. 550. Resolution adjusting the ranking of majority party members of the Committee on Foreign Affairs; considered and agreed to.

By Mr. OBERSTAR:

H. Res. 552. Resolution relating to authorization of multilateral action in Bosnia-Herzegovina under article 42 of the United Nations Charter; to the Committee on Foreign Affairs.

By Mr. PETERSON of Minnesota:

H. Res. 553. Resolution providing for reform of the House of Representatives; jointly, to the Committees on Rules and House Administration.

By Mr. HOYER (for himself, Mr. GEPHARDT, Mr. FASCELL, Mr. HAMILTON, Mr. BROOMFIELD, Mr. GILMAN, Mr. RITTER, Mr. BEREUTER, Mr. BERMAN, Mrs. BOXER, Mr. CARDIN, Mr. ECKART, Mr. FAZIO, Mr. FEIGHAN, Mr. GALLEGLEY, Mr. GOODLING, Mr. GOSS, Mr. JOHNSTON of Florida, Mr. LAGOMARSINO, Mr. LEACH, Mr. MARKEY, Mrs. MEYERS of Kansas, Mr. NAGLE, Mr. MCCLOSKEY, Mr. MILLER of Washington, Mr. ORTON, Mr. OWENS of Utah, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. PORTER, Ms. ROSELEHTINEN, Mr. SAWYER, Mr. SMITH of New Jersey, Mr. STUDDS, Mr. WEISS, Mr. WOLF, Mr. WOLPE, Mr. WYLIE, and Mr. YATRON):

H. Res. 554. Resolution concerning the situation in Bosnia-Herzegovina; to the Committee on Foreign Affairs.

¶100.55 MEMORIALS

Under clause 4 of rule XXII:

514. The SPEAKER presented a memorial of the General Assembly of the State of California, relative to the creation of a North American Development Bank and Adjustment Fund; which was referred to the Committee on Banking, Finance and Urban Affairs.

¶100.56 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 75: Mr. RINALDO.
H.R. 125: Mr. VOLKMER.
H.R. 127: Mr. CLINGER.
H.R. 258: Mr. JEFFERSON and Mr. RINALDO.
H.R. 501: Ms. KAPTUR.
H.R. 629: Mr. FRANKS of Connecticut.
H.R. 755: Mr. LANCASTER and Mr. HERTEL.
H.R. 875: Mr. SWETT.
H.R. 895: Mr. JOHNSON of South Dakota.
H.R. 1495: Mr. HUTTO.
H.R. 1633: Mr. MORRISON.
H.R. 2070: Mr. YOUNG of Florida.
H.R. 2071: Mr. BERMAN.
H.R. 2248: Mr. GEPHARDT.
H.R. 2641: Mr. LIVINGSTON.
H.R. 2750: Mr. ANNUNZIO, Mr. FAZIO, Mr. BROWN, and Mr. MORAN.
H.R. 2766: Mr. CLINGER.
H.R. 2880: Mr. RANGEL.
H.R. 3164: Mr. HOLLOWAY and Mr. RINALDO.
H.R. 3195: Mr. WELDON, Mr. HUGHES, Mr. RAVENEL, and Mr. HOCHBRUECKNER.
H.R. 3763: Mr. MINETA.
H.R. 3806: Mr. PETRI, Mr. THOMAS of Georgia, Mr. WALSH, Mr. WEBER, Mr. FISH, and Mr. ACKERMAN.
H.R. 3843: Mr. DARDEN.
H.R. 3918: Mr. RAHALL, Mr. PETRI, and Mr. BONIOR.
H.R. 3939: Mr. MATSUI and Mr. RICHARDSON.
H.R. 4045: Mr. FEIGHAN, Mr. DIXON, Mr. RICHARDSON, and Mr. BRUCE.
H.R. 4144: Mr. KOPETSKI.
H.R. 4543: Mr. FROST and Mr. STENHOLM.
H.R. 4551: Mr. WILLIAMS, Mr. LEHMAN of Florida, and Mr. WASHINGTON.

H.R. 4591: Mr. HAYES of Illinois.
H.R. 4750: Mr. RICHARDSON.
H.R. 4899: Mr. YATES and Mr. ZIMMER.
H.R. 5035: Mr. KOPETSKI, Mr. DORGAN of North Dakota, Mr. BRYANT, Mr. OLIN, Mr. ZELIFF, Mr. ESPY, Mr. LANCASTER, Mr. ATKINS, Mr. SKAGGS, Ms. KAPTUR, and Mr. MORAN.
H.R. 5110: Mr. RAVENEL.
H.R. 5123: Mr. EVANS.
H.R. 5208: Mr. DYMALLY.
H.R. 5223: Mr. MOLLOHAN.
H.R. 5240: Mr. SOLARZ and Mr. CAMPBELL of California.
H.R. 5250: Mr. WOLF and Mr. CALLAHAN.
H.R. 5276: Mr. JACOBS, Mrs. PATTERSON, Mr. DERRICK, Mr. HANSEN, Mr. HARRIS, Mr. DICKINSON, Mrs. VUCANOVICH, Mr. INHOFE, Mrs. MEYERS of Kansas, Mr. BURTON of Indiana, Mr. HUTTO, and Mr. ALLARD.
H.R. 5357: Mr. ACKERMAN and Mr. LANCASTER.
H.R. 5398: Mr. LEHMAN of California.
H.R. 5434: Mr. SCHEUER and Mr. CARDIN.
H.R. 5443: Mr. BALLENGER, Mr. STENHOLM, and Mr. BOEHNER.
H.R. 5530: Mr. HUGHES.
H.R. 5567: Mr. DUNCAN, Mr. MILLER of Ohio, Mr. TAUZIN, Mr. LIGHTFOOT, Mr. GINGRICH, Mr. GOSS, Mr. PORTER, Mr. HYDE, Mr. COX of California, Mr. CLINGER, and Mr. LEWIS of Florida.
H.R. 5570: Mr. GEREN of Texas, Mr. LANCASTER, Mr. UPTON, and Mr. HUGHES.
H.R. 5676: Mr. SWIFT.
H.R. 5680: Mrs. LOWEY of New York, Mr. MAZZOLI, Mr. SHAYS, Mr. RANGEL, Mr. SWIFT, and Mr. YATES.
H.R. 5681: Mr. HUGHES, Mrs. UNSOELD, Mr. WEISS, and Mr. EVANS.
H.R. 5720: Mr. ERDREICH, Mr. LENT, Mr. LIPINSKI, Mr. WILSON, Mr. MONTGOMERY, Mr. DORNAN of California, and Mr. RITTER.
H.R. 5747: Mr. WEISS, Mrs. COLLINS of Illinois, Ms. NORTON, Mr. EVANS, and Mr. PAYNE of New Jersey.
H.R. 5760: Mr. McMILLEN of Maryland, Mrs. COLLINS of Illinois, Mr. MONTGOMERY, Mr. BEVILL, Mr. LIPINSKI, Mr. SYNAR, Mr. LANCASTER, and Mr. BALLENGER.
H.J. Res. 353: Mr. BLACKWELL, Ms. DELAULO, Mr. FLAKE, Mr. FOGLIETTA, Mr. GREEN of New York, Mr. HOAGLAND, Mr. LAUGHLIN, and Mr. UPTON.
H.J. Res. 413: Mr. BEREUTER, Mr. BOUCHER, Mr. BURTON of Indiana, Mr. BUSTAMANTE, Mr. CARDIN, Mr. CHAPMAN, Mr. CLINGER, Mr. COBLE, Mr. COLEMAN, of Texas, Mr. CONYERS, Mr. COUGHLIN, Mr. COX of California, Mr. CRANE, Mr. DANNEMEYER, Mr. DIXON, Mr. DREIER of California, Mr. GEJDENSON, Mr. GIBBONS, Mr. GONZALEZ, Mr. GOODLING, Mr. HERGER, Mr. INHOFE, Mr. JOHNSON of Texas, Mr. KOPETSKI, Mr. LAGOMARSINO, Mr. LEWIS of Georgia, Mr. LIGHTFOOT, Mr. MCGRATH, Mr. MYERS of Indiana, Mr. NEAL of North Carolina, Mr. PAXON, Ms. PELOSI, Mr. PORTER, Mr. RAMSTAD, Mr. RIGGS, Mr. SAWYER, Mr. SHAW, Ms. SLAUGHTER, Mr. STUMP, Mr. THOMAS of California, Mr. TORRES, Mr. TRAFICANT, Ms. WATERS, Mr. WAXMAN, Mr. WYLIE, and Mr. ZELIFF.
H.J. Res. 476: Mrs. COLLINS of Illinois, Mr. ANDREWS of Maine, Mr. DORGAN of North Dakota, Mr. MARTIN, and Mr. YOUNG of Florida.
H.J. Res. 479: Mr. VENTO, Mr. LANCASTER, Mr. DE LA GARZA, Mr. RANGEL, Mr. KOLTER, Mr. SKELTON, Mr. SYNAR, Mr. STEARNS, and Mr. McNULTY.
H.J. Res. 489: Mr. LANCASTER, Mr. GEJDENSON, Mr. RICHARDSON, Mr. RANGEL, Mr. VALENTINE, Mr. TAYLOR of North Carolina, Mr. SARPALUS, Mr. SMITH of Florida, Mr. SYNAR, Mr. DERRICK, Mr. HOYER, and Mr. DURBIN.
H.J. Res. 495: Mr. REGULA, Mr. BONIOR, and Mr. BROWN.
H.J. Res. 498: Mr. LIGHTFOOT, Mr. NAGLE, Mr. ENGEL, Mr. KLECZKA, Mr. GUNDERSON, Mr. SISISKY, and Mrs. COLLINS of Michigan.

H.J. Res. 500: Mr. BLILEY, Mrs. BOXER, Mr. CHANDLER, Ms. DELAULO, Mr. GONZALEZ, Mr. HALL of Ohio, Mr. LIGHTFOOT, Mr. MOODY, Mr. SARPALUS, Mr. SAXTON, Mr. TAUZIN, Mr. VANDER JAGT, and Mr. YOUNG of Florida.

H.J. Res. 523: Mr. RITTER, Mr. McCLOSKEY, and Mr. DE LA GARZA.

H.J. Res. 532: Mr. YOUNG of Florida, Mr. HENRY, Ms. PELOSI, Mr. REED, Mr. BLACKWELL, Mr. TRAFICANT, Mr. HOCHBRUECKNER, Mr. KOLTER, Mr. SISISKY, Mr. DOOLITTLE, Mr. DELLUMS, Mr. DINGELL, Mr. DORNAN of California, Mr. FEIGHAN, Mr. HAMMERSCHMIDT, Mr. MATSUI, Mr. SABO, Mr. SPENCE, Mr. TRAXLER, Mr. YOUNG of Alaska, and Mr. DONNELLY.

H. Con. Res. 73: Mr. CRANE.

H. Con. Res. 223: Mr. BERMAN, Mr. DINGELL, and Mr. LOWERY of California.

H. Con. Res. 301: Mr. HUGHES, Mr. DREIER of California, Mr. BALLENGER, and Mr. HEFLEY.

H. Con. Res. 340: Mr. ESPY, Mr. GUARINI, Mr. HORTON, Mr. KOLTER, Mr. TALLON, Mr. WALSH, Mrs. JOHNSON of Connecticut, Mr. LAFALCE, Mr. PORTER, Mr. BILIRAKIS, Mr. McMILLEN of Maryland, Mrs. MORELLA, and Mr. LANCASTER.

H. Con. Res. 345: Mr. SWETT, Mr. KOPETSKI, Mr. KLUG, Mr. LEACH, Mr. GOSS, and Mr. PASTOR.

H. Con. Res. 353: Mr. MACHTLEY, Mr. HOCHBRUECKNER, Mr. KOLTER, Mr. GILMAN, Mr. MAZZOLI, Mr. SCHUMER, Mr. ACKERMAN, Mr. FRANK of Massachusetts, Mr. TOWNS, Mr. KLECZKA, Mr. LEHMAN of Florida, Mr. SANDERS, Mr. JOHNSON of South Dakota, Mr. McDERMOTT, Mr. OWENS of Utah, Mr. MORAN, Mr. COX of Illinois, Mr. BLACKWELL, Mr. MARKEY, Mr. BACCHUS, Mr. SWETT, Mr. HUGHES, Mr. JEFFERSON, Mrs. SCHROEDER, Mr. PAYNE of New Jersey, Mr. DELLUMS, and Mr. EVANS.

H. Res. 490: Mr. SAWYER.

H. Res. 534: Mr. CARPER, Mr. HORTON, Mr. WYLIE, Mr. BUSTAMANTE, Mr. SKELTON, and Mr. SPENCE.

¶100.57 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 3515: Mr. DAVIS.
H.R. 4168: Mr. RICHARDSON.
H.R. 4175: Mr. LEWIS of Florida.

WEDNESDAY, AUGUST 12, 1992 (101)

The House was called to order by the SPEAKER.

¶101.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, August 11, 1992.

Pursuant to clause 1, rule I, the Journal was approved.

¶101.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 2, rule XXIV, were referred as follows:

4092. A letter from the Secretary, Federal Trade Commission, transmitting an update to the 1991 annual report on the current practices and methods of cigarette advertising and promotion, pursuant to 15 U.S.C. 1331 et seq.; to the Committee on Energy and Commerce.

4093. A letter from the Deputy Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer

and Acceptance [LOA] to the Netherlands for defense articles and services (Transmittal No. 92-32), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

4094. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting copies of the original report of political contributions of Harry J. Gilmore, of Virginia, to be Ambassador to the Republic of Armenia, and members of his family, pursuant to 22 U.S.C. 3944(b)(2); to the Committee on Foreign Affairs.

4095. A letter from the Acting Director, U.S. Arms Control and Disarmament Agency, transmitting the annual "Report to Congress on Arms Control and Disarmament Studies," pursuant to Public Law 100-213, section 4 (101 Stat. 1445); to the Committee on Foreign Affairs.

4096. A letter from the Secretary, Department of Defense, transmitting the 1991 report on allied contributions to the common defense, pursuant to 22 U.S.C. 1928 note; jointly, to the Committees on Armed Services and Foreign Affairs.

¶101.3 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 411. Joint resolution to designate the week of September 13, 1992, through September 19, 1992, as "National Rehabilitation Week"; and

H.J. Res. 507. Joint resolution to approve the extension of nondiscriminatory treatment with respect to the products of the Republic of Albania.

The message also announced that the Senate had passed a bill, a joint resolution and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 3163. An Act to amend the Federal Food, Drug, and Cosmetic Act to coordinate Federal and State regulation of wholesale drug distribution, and for other purposes;

S.J. Res. 242. Joint resolution to designate the week of September 13, 1992, through September 19, 1992, as "National Rehabilitation Week"; and

S. Con. Res. 135. Concurrent resolution providing for a conditional recess or adjournment of the Senate from Wednesday, August 12, 1992, until Tuesday, September 8, 1992, and a conditional adjournment of the House on the legislative day of Wednesday, August 12, 1992, until Wednesday, September 9, 1992.

¶101.4 PROVIDING FOR THE CONSIDERATION OF H.R. 4323

Mr. WHEAT, by direction of the Committee on Rules, called up the following resolution (H. Res. 551):

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1 (b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 4323) to improve education for all students by restructuring the education system in the States. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 8 of rule XXI are waived. General debate shall be confined to the bill and the amendments made in order by this resolution and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. After general debate the bill shall be considered for amend-

ment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill, modified by the amendments printed in section 2 of this resolution. The committee amendment in the nature of a substitute, as modified, shall be considered as read. Points of order against the committee amendment in the nature of a substitute, as modified, for failure to comply with clause 7 of rule XVI are waived. No amendment to the committee amendment in the nature of a substitute, as modified, shall be in order except the amendments printed in the report of the Committee on Rules accompanying this resolution and amendments en bloc described in this resolution. Amendments printed in the report may be offered only in the order printed and only by the named proponent or a designee, shall be considered as read when offered, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. Any time specified in the report for debate on an amendment shall be equally divided and controlled by the proponent and an opponent. All points of order against amendments printed in the report are waived. It shall be in order at any time for the chairman of the Committee on Education and Labor or his designee to offer amendments en bloc consisting of amendments printed in the report of the Committee on Rules or germane modifications thereof. Such amendments en bloc shall be considered as read, except that modifications shall be reported; shall be debatable for forty minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor or their respective designees; shall not be subject to amendment; and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments en bloc are waived. The original proponent of an amendment included in amendments en bloc may insert a statement in the Congressional Record immediately before the disposition of the amendments en bloc. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute, as modified. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. After passage of H.R. 4323, it shall be in order to take from the Speaker's table the bill S. 2 and to consider the Senate bill in the House. All points of order against the Senate bill and its consideration are waived. It shall then be in order to move to strike all after the enacting clause of the Senate bill and to insert in lieu thereof the provisions of H.R. 4323 as passed by the House. All points of order against that motion are waived. If the motion is adopted and the Senate bill, as amended, is passed, then it shall be in order to move to insist on the House amendment to S. 2 and to request a conference with the Senate thereon.

SEC. 2. The amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill is modified as follows:

Page 13, strike line 14 and all that follows through page 14, line 2;

Page 14, line 3, strike "(d)" and insert in lieu thereof "(c)";

Page 14, line 7, strike "(e)" and insert in lieu thereof "(d)";

Page 89, strike line 15 and all that follows through page 90, line 7;

Page 90, line 8, strike "Sec. 8216" and insert in lieu thereof "Sec. 8215"; and

Page 103, strike line 1 and all that follows through page 105, line 16.

When said resolution was considered.

After debate,

On motion of Mr. WHEAT, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SWIFT, announced that the yeas had it.

Mr. DREIER objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 232
Nays 153

¶101.5 [Roll No. 382] YEAS—232

Abercrombie	Erdreich	Lowey (NY)
Anderson	Espy	Luken
Andrews (ME)	Evans	Manton
Andrews (NJ)	Fascell	Martinez
Andrews (TX)	Fazio	Matsui
Annunzio	Feighan	Mavroules
Anthony	Foglietta	Mazzoli
Applegate	Ford (MI)	McCloskey
Aspin	Frank (MA)	McDermott
AuCoin	Frost	McHugh
Beilenson	Gejdenson	McMillen (MD)
Bennett	Gephardt	McNulty
Berman	Geren	Mfume
Bevill	Gibbons	Miller (CA)
Bilbray	Gilman	Mineta
Blackwell	Glickman	Mink
Bonior	Gonzalez	Moakley
Borski	Gordon	Mollohan
Boucher	Guarini	Montgomery
Boxer	Hall (OH)	Moody
Brewster	Hall (TX)	Moran
Brooks	Hamilton	Mrazek
Browder	Harris	Murphy
Brown	Hayes (IL)	Murtha
Bruce	Hayes (LA)	Natcher
Bryant	Hefner	Neal (MA)
Bustamante	Hertel	Nowak
Byron	Hoagland	Oakar
Cardin	Hochbrueckner	Oberstar
Carper	Horn	Obey
Carr	Hoyer	Olin
Clement	Hubbard	Olver
Coleman (TX)	Huckaby	Ortiz
Collins (IL)	Hughes	Owens (NY)
Collins (MI)	Hutto	Pallone
Condit	Jacobs	Panetta
Cooper	Jefferson	Parker
Costello	Jenkins	Pastor
Cox (IL)	Johnson (SD)	Patterson
Coyne	Johnston	Payne (NJ)
Cramer	Jones (GA)	Payne (VA)
Darden	Jontz	Pease
de la Garza	Kanjorski	Pelosi
DeLauro	Kennedy	Peterson (FL)
Dellums	Kennelly	Peterson (MN)
Derrick	Kildee	Pickett
Dicks	Klecza	Pickle
Dingell	Kopetski	Poshard
Dixon	Kostmayer	Price
Donnelly	LaFalce	Rahall
Dooley	Lancaster	Rangel
Dorgan (ND)	Lantos	Ray
Downey	LaRocco	Reed
Durbin	Laughlin	Richardson
Dwyer	Lehman (CA)	Roe
Early	Lehman (FL)	Roemer
Eckart	Levin (MI)	Rose
Edwards (CA)	Lewis (GA)	Rostenkowski
Edwards (TX)	Lipinski	Rowland
Engel	Lloyd	Roybal
English	Long	Russo

Sabo	Spratt	Valentine
Sanders	Stallings	Vento
Sangmeister	Stenholm	Visclosky
Sarpalius	Stokes	Volkmer
Savage	Studds	Washington
Sawyer	Swett	Waters
Scheuer	Swift	Waxman
Schroeder	Synar	Wheat
Schumer	Tanner	Whitten
Serrano	Tauzin	Williams
Sikorski	Taylor (MS)	Wise
Sisisky	Thomas (GA)	Wolpe
Skaggs	Thornton	Wyden
Skelton	Torres	Yates
Slattery	Torricelli	Yatron
Slaughter	Trafficant	
Smith (IA)	Unsoeld	

NAYS—153

Allard	Gunderson	Oxley
Allen	Hammerschmidt	Packard
Archer	Hancock	Paxon
Armey	Hansen	Penny
Baker	Hastert	Petri
Ballenger	Hefley	Porter
Barrett	Henry	Pursell
Bateman	Herger	Quillen
Bentley	Hobson	Ramstad
Bereuter	Holloway	Ravenel
Bilirakis	Hopkins	Regula
Bliley	Horton	Rhodes
Boehlert	Houghton	Ridge
Boehner	Hunter	Rinaldo
Broomfield	Inhofe	Ritter
Bunning	James	Roberts
Burton	Johnson (CT)	Rogers
Callahan	Johnson (TX)	Rohrabacher
Camp	Kasich	Ros-Lehtinen
Campbell (CA)	Klug	Roth
Chandler	Kolbe	Roukema
Clinger	Kyl	Santorium
Coble	Lagomarsino	Saxton
Coleman (MO)	Leach	Schaefer
Combest	Lent	Schiff
Coughlin	Lewis (CA)	Sensenbrenner
Cox (CA)	Lewis (FL)	Shaw
Crane	Lightfoot	Shays
Dannemeyer	Livingston	Shuster
Davis	Machtley	Skeen
DeLay	Marlenee	Smith (NJ)
Doolittle	Martin	Smith (OR)
Dornan (CA)	McCandless	Smith (TX)
Dreier	McCrery	Snowe
Duncan	McCurdy	Spence
Emerson	McEwen	Stearns
Ewing	McGrath	Stump
Fawell	McMillan (NC)	Sundquist
Fields	Meyers	Taylor (NC)
Fish	Michel	Thomas (CA)
Franks (CT)	Miller (OH)	Thomas (WY)
Gallegly	Miller (WA)	Upton
Gallo	Molinari	Vander Jagt
Gekas	Moorhead	Vucanovich
Gilchrest	Morella	Walsh
Gillmor	Morrison	Weldon
Goodling	Myers	Wolf
Goss	Nichols	Wyllie
Gradison	Nussle	Young (FL)
Grandy	Orton	Zeliff
Green	Owens (UT)	Zimmer

NOT VOTING—49

Ackerman	Gaydos	Schulze
Alexander	Gingrich	Sharp
Atkins	Hatcher	Smith (FL)
Bacchus	Hyde	Solarz
Barnard	Ireland	Solomon
Barton	Jones (NC)	Staggers
Campbell (CO)	Kaptur	Stark
Chapman	Kolter	Tallon
Clay	Levine (CA)	Towns
Conyers	Lowery (CA)	Traxler
Cunningham	Markey	Walker
DeFazio	McCollum	Weber
Dickinson	McDade	Weiss
Dymally	Nagle	Wilson
Edwards (OK)	Neal (NC)	Young (AK)
Flake	Perkins	
Ford (TN)	Riggs	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

101.6 ORDER OF BUSINESS— CONSIDERATION OF AMENDMENTS— H.R. 4323

On motion of Mr. GOODLING, by unanimous consent,

Ordered, That during the consideration of the bill (H.R. 4323) to improve education for all students by restructuring the education system in the States, pursuant to House Resolution 551, the amendments numbered 7 and 8 in House Report No. 102-838 may each be debatable for forty minutes, equally divided and controlled by a proponent and an opponent.

101.7 NEIGHBORHOOD SCHOOLS IMPROVEMENT

The SPEAKER pro tempore, Mr. SWIFT, pursuant to House Resolution 551 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4323) to improve education for all students by restructuring the education system in the States.

The SPEAKER pro tempore, Mr. SWIFT, by unanimous consent, designated Mr. PRICE as Chairman of the Committee of the Whole; and after some time spent therein,

101.8 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. ARMEY:

Strike all after the enacting clause and insert the following:

SECTION 1. NEIGHBORHOOD SCHOOLS IMPROVEMENT.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended—

- (1) by redesignating title X as title IX;
- (2) by redesignating sections 8001 through 8005 as 9001 through 9005; and
- (3) by inserting after title VII the following:

"TITLE VIII—NEIGHBORHOOD SCHOOLS IMPROVEMENT

"SEC. 8001. SHORT TITLE.

"This title may be cited as the 'Neighborhood Schools Improvement Act'.

"SEC. 8002. CONGRESSIONAL FINDINGS.

"The Congress finds that—

"(1) all students can learn and must realize their potential if the United States is to prosper;

"(2) the reforms in education of the last 15 years have achieved good results, but these efforts often have been limited to a few schools or to a single part of the educational system;

"(3) additional pilot projects will have the same limited effect as previous reforms and isolated changes in policy will most likely have minimal impact;

"(4) strategies must be developed by States and communities to support the revitalization of all local schools by fundamentally changing the entire system of education through comprehensive, coherent, and coordinated improvement;

"(5) parents, teachers and other local educators, and community leaders must be involved in developing system-wide reform strategies that reflect the needs of their individual communities;

"(6) States and local educational agencies, working together, must immediately set

about developing and implementing such system-wide reform strategies if the Nation is to educate all children to meet their full potential and achieve national goals;

"(7) increasing funding for existing Federal education programs at levels that will enable them to fulfill their mission is a critical part of assisting States and local educational agencies in their school improvement efforts; and

"(8) additional Federal funds should be targeted to support State and local initiatives and to leverage State and local resources for designing and implementing system-wide reform plans.

"SEC. 8003. PURPOSE.

"It is the purpose of this title to raise the quality of education for all students by supporting a 10-year broad based public effort to promote coherent and coordinated changes in the system of education throughout the Nation at the State and local level without jeopardizing funding for existing Federal education programs.

"SEC. 8004. PROGRAM AUTHORIZED.

"The Secretary is authorized, in accordance with the provisions of this title, to make grants to State educational agencies to enable States and local educational agencies to reform and improve the quality of education throughout the Nation. Such grants shall be used to—

"(1) develop innovative educational reform plans, which include State achievement goals, a means for developing or adopting high quality, challenging curricular frameworks and coordinated curricular materials, professional development strategies, and assessment instruments; and

"(2) implement reforms and plans to improve the education system at the State and local levels.

"SEC. 8005. APPLICATION.

"(a) IN GENERAL.—If a State desires to receive assistance under this title, the State educational agency shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require. Such application shall cover a 5-year period.

"(b) CONSIDERATION OF APPLICATIONS.—Each such application shall—

"(1) contain satisfactory evidence that the State educational agency has or will have authority, by legislation if necessary, to implement the plan required under section 8006;

"(2) provide an assurance that the State has a strategy for ensuring broad participation in the planning process, including parents, students, teachers, principals, superintendents, local school board members, representatives of the employment and training network, the deans of colleges of education, representatives of community-based organizations, testing and curriculum experts, the director of the State office responsible for teacher certification, and the director of the State human services agency, to establish the goals and to refine them in the future, as well as participate in the development of all other components of the plan;

"(3) provide an assurance that the State will notify the public (including individuals with limited English proficiency), through print and electronic media and the local educational agency through actual notice—

"(A) that the State has made application for funds under this title;

"(B) of the purposes for which the funds will be used; and

"(C) that the State is developing a plan under section 8006;

"(4) provide an assurance that all students will have equal access to the curricular frameworks, high quality curricular materials, and well-qualified teachers;

"(5) describe actions taken and resources identified or committed to meet the requirements of this title;

"(6) provide an assurance that the applicant will prepare and submit to the Secretary, annual evaluations of and reports concerning the State program; and

"(7) provide an assurance that the State will carry out the provisions of section 8006.

"(c) **APPROVAL.**—The Secretary shall approve an application and any amendment to the application if the application or the amendment to such application meets the requirements of this section and is of sufficient quality to effect substantial reform of elementary and secondary education in the State. The Secretary shall not finally disapprove an application or an amendment to such application except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"(d) **REAPPLICATION.**—(1) A State educational agency may apply for assistance for a second 5-year period and such application shall be approved by the Secretary if the State—

"(A) has met all of its reporting requirements; and

"(B) demonstrates that it has made reasonable progress in carrying out its plan.

"(2) The Secretary shall not finally disapprove an application or an amendment to such application except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"SEC. 8006. DEVELOPMENT AND APPROVAL OF STATE PLAN.

"(a) **ESTABLISHMENT OF PANEL.**—Each State program assisted under this title shall establish a panel to develop a statewide reform plan. Such panel shall consist of—

"(1) the chief executive of the State (or designee);

"(2) the presiding officers and the minority leaders of the State legislature (or designees);

"(3) the chief State school officer;

"(4) the head of the office that coordinates higher education programs in the State or, if there is no such office, the head of the office designated under section 2008 of the Dwight D. Eisenhower Mathematics and Science Education Act (20 U.S.C. 2988) (or designee); and

"(5) individuals selected by the chief executive of the State, including representatives from the following groups and organizations:

"(A) Teachers.

"(B) School administrators.

"(C) Local school boards.

"(D) Parents.

"(E) Businesses.

"(F) State board of education.

"(G) Students.

"(b) **ADDITIONAL MEMBERS.**—(1) The first meeting of such panel shall be convened by the chief executive of the State. At such meeting, the panel members designated and nominated in subsection (a) may select additional panel members, including the chairpersons of the State legislative committees with jurisdiction over education, individuals reflecting the ethnic and racial diversity of the general population of the State, and (except in the case of a State with a single local educational agency) an individual nominated by representatives of the 5 local educational agencies with the highest number of students eligible for services under part A of chapter 1 of title I of this Act.

"(2) The membership of the panel shall be geographically representative of all areas of the State and shall not exceed 25 in number.

"(3) The chief executive of the State shall serve as the chairperson of the panel and determine a meeting schedule.

"(c) **DEVELOPMENT OF STATE PLAN.**—(1) The panel shall develop a plan that—

"(A) establishes State goals to maximize achievement for all children in conjunction with national educational goals;

"(B) establishes curricular frameworks in specific subject matter areas that incorporate the goals established under subparagraph (A);

"(C) provides for the development or adoption of instructional materials to assist the implementation of the curricular frameworks;

"(D) allocates resources to implement such a system-wide reform plan;

"(E) provides for the establishment or adoption of a valid, reliable, and fair assessment system based upon the curricular frameworks that is capable of accurately measuring the skills and knowledge required to meet State goals;

"(F) provides for professional development strategies necessary for achieving the State goals;

"(G) establishes a process for reviewing Federal, State, and local laws and regulations and for recommending changes in such laws and regulations to further state-wide reform;

"(H) provides a process for selecting local educational agencies for participation in local system-wide reform efforts;

"(I) provides for the development of objective criteria and measures against which the success of local plans can be evaluated;

"(J) provides for the ongoing evaluation of the effectiveness of the State plan in closing the gap between high and low achieving students to be assessed using achievement and other measures such as attendance, grade retention, and dropout rates;

"(K) provides for the availability of curricular frameworks, curricular materials, and professional development in a manner ensuring equal access by all local educational agencies in the State;

"(L) describes the steps the State educational agency shall take to ensure that successful programs and practices supported by subgrants awarded to local educational agencies under this title shall be disseminated to other local educational agencies in the State;

"(M) provides for the development of an adequate research, training, and evaluation capacity within the State to further the purposes of this title; and

"(N) describes methods of coordinating health and social services with education through State interagency cooperation and agreements.

"(2) In developing the plan, the panel shall—

"(A) emphasize outcome measures rather than prescribing how the State and local educational agencies should achieve such outcomes;

"(B) review recent innovations by other States and by national professional subject matter organizations in educational goals, curricula, and assessment nationally;

"(C) review existing Federal education programs and how they can contribute to the State plan; and

"(D) ensure broad-based participation through regular notice and dissemination of information to the public (including individuals with limited English proficiency) using print and electronic media.

"(3) Following the development of the plan, the panel shall seek public comment by—

"(A) publishing the plan with a comment period of at least 60 days, or

"(B) notifying the public through electronic and print media and conducting regional hearings.

After providing the public with an opportunity to comment on the plan, the panel shall consider the public comments and make appropriate changes.

"(4) The plan shall be submitted to the State for review and approval by the State educational agency, except that any changes to such plan shall be made with the concurrence of the panel. Prior to implementing the plan, the State educational agency shall submit such plan to the Secretary for approval. In the event that the State has previously accomplished any of the reform activities required under this title in a specific subject area or set of grade levels, the State is not required to include them in the plan but shall include a request for a waiver, including a description of such accomplishments.

"(5)(A) The Secretary shall approve a State's plan if such plan—

"(i) meets the requirements of this section; and

"(ii) provides evidence that the State has, or will have, the resources necessary to carry it out.

"(B) The Secretary shall not finally disapprove a plan or an amendment to such plan except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"(d) **REVIEW OF STATE PLAN.**—The panel and the State educational agency shall review on an ongoing basis, the implementation of the State plan for the period during which the State receives funding under this title. The results of such review shall be prepared in writing by the panel and included by the State in its annual report to the Secretary under section 8013(a).

"SEC. 8007. STATE USES OF FUNDS.

"(a) **USES OF FUNDS.**—Funds allotted by the Secretary under section 8011(a) and State and private funds contributed to make up the total cost of a State program as provided in section 8011(b) shall be used by a State with an approved application for the following purposes—

"(1) development and implementation of the State plan, including the establishment of State goals, curricular frameworks, and assessment systems;

"(2) activities of the panel (including the travel expenses of the members of such panel);

"(3) subgrants to local educational agencies;

"(4) technical assistance (including dissemination of information) to local educational agencies to assist in developing and carrying out their plans; and

"(5) evaluation, reporting, and data collection.

"(b) **LOCAL EDUCATIONAL AGENCIES.**—In the first year that a State receives an allotment under this title, the State educational agency may make subgrants for the purpose of developing local plans as provided in section 8008 consistent with section 8006(c)(1)(H). In the second year, and in each succeeding year, from not less than 75 percent of the total cost of a State's program, the State educational agency shall make subgrants to local educational agencies which shall include—

"(1) at least one local educational agency in each congressional district shall receive a subgrant; and

"(2) the local educational agency with the greatest number of disadvantaged children in the State shall receive a subgrant.

"SEC. 8008. DEVELOPMENT AND APPROVAL OF LOCAL PLANS.

"As described in the State reform plan, and based upon the recommendations of the panel established under section 8006, the State shall make subgrants to local educational agencies based upon a locally developed plan which—

"(1) describes the process used to ensure broad-based community participation in the development of the local plan;

"(2) provides assurance that the local educational agency shall provide for an ongoing evaluation of the effectiveness of the plan in meeting State and local goals, and that it will annually review its local plan and make changes where needed;

"(3) proposes district-wide reform which includes—

"(A) the development of a curriculum to implement the State's frameworks;

"(B) the setting of local goals;

"(C) the identification or development of instructional materials;

"(D) the provision of teacher and administrator training; and

"(E) the identification of assessment instruments to measure progress toward meeting State and local goals."

"SEC. 8009. LOCAL USES OF FUNDS.

"A local educational agency which receives a subgrant under this title shall use the funds for the purpose of district-wide reform, consistent with the State and local plans. Authorized activities may include—

"(1) New American Schools which reflect the best available knowledge regarding teaching and learning, which use the highest quality instructional materials and technologies, and which are designed to meet national, State, and local educational goals as well as the particular needs of their students and communities;

"(2) systems such as merit schools which reward schools with students who, as a group, demonstrate improved performance on curriculum related outcome measures that assess only basic cognitive skills accepted by States or developed in the State assessment process;

"(3) choice programs which permit parents to select the public, private, or parochial school that their children will attend; and

"(4) site-based management involving teachers, professional staff, and parents and emphasizing alternative certification to permit maximum decisionmaking at the individual school level;

"SEC. 8010. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of carrying out this title, there are authorized to be appropriated \$700,000,000 for the fiscal year 1992, and such sums as may be necessary for the fiscal years 1993 through 2001.

"SEC. 8011. ALLOTMENT OF FUNDS.

"(a) TO STATES.—(1) From funds appropriated under section 8010, the Secretary shall allot to the Secretary of the Interior for each fiscal year an amount equal to ¼ of 1 percent of the funds appropriated, not to exceed \$2,000,000 in any fiscal year, to benefit Indian students enrolled in schools funded by the Department of the Interior for Indian students. The provisions of subsection (b) of this section shall not apply to payments made under this paragraph.

"(2) From the remaining amount appropriated under section 8010, the Secretary shall make annual grants to States with approved applications based on a competitive formula established by the Department of Education.

"(b) MATCHING REQUIREMENT.—(1) The Federal share under this title may not exceed—

"(A) 100 percent of the total cost of a program for the first year for which a State receives funds under this title;

"(B) 85 percent of the total cost of a program for the second year for which a State receives funds under this title;

"(C) 60 percent of the total cost of a program for the third year for which a State receives funds under this title;

"(D) 45 percent of the total cost of a program for the fourth year for which a State receives funds under this title; and

"(E) 33 percent of the total cost of a program for the fifth and any succeeding year

for which a State receives funds under this title.

"(2) The remaining cost of a program that receives assistance under this title shall be paid by the State from State funds and may include contributions from the private sector.

"(3) The share of payments from sources other than funds appropriated under this title may be in cash or in kind fairly evaluated.

"(4) The requirements of this subsection shall not apply to the Virgin Islands, the Commonwealth of Puerto Rico, or Pacific outlying areas.

"(c) MAINTENANCE OF EFFORT.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that either the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the preceding fiscal year was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

"(d) ADMINISTRATIVE COSTS.—From its annual allotment, a State may reserve for administration (not to include the activities of the panel) an amount not to exceed 4 percent or \$250,000, whichever is greater.

"(e) ASSURANCES AND TERMS.—(1) The funds allotted to the Secretary of the Interior under subsection (a)(1) shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such assurances and terms as the Secretary determines will best achieve the purposes of this title. The agreement shall contain an assurance that—

"(A) a panel, as set forth in paragraph (2) of this subsection, shall be established;

"(B) a plan as required in section 8006 shall be developed by such panel; and

"(C) the provisions and activities required under sections 8006 and 8007 shall be carried out in the same time frames stipulated for the States in those sections, provided that the term 'local educational agencies' shall be interpreted to mean 'schools funded by the Bureau of Indian Affairs'.

"(2) To carry out the provisions of this title, and to develop the plan required under the agreement with the Secretary required in paragraph (1), the Secretary of the Interior shall establish a panel coordinated by the Assistant Secretary of the Interior for Indian Affairs to develop a system-wide reform plan. Such panel shall consist of—

"(A) the Assistant Secretary of the Interior for Indian Affairs (or designee);

"(B) the chairpersons and ranking minority members of the Committee on Education and Labor of the House of Representatives and the Select Committee on Indian Affairs of the Senate (or their designees);

"(C) the Director of the Office of the Indian Education Programs of the bureau of Indian Affairs and such heads of divisions in such office as the Director shall designate;

"(D) a representative nominated by each of the following—

"(i) the organization representing the majority of teachers and professional personnel in Bureau-operated schools;

"(ii) the organization representing the majority of nonteaching personnel in Bureau-operated schools, if not the same organization as in clause (i);

"(iii) school administrators of Bureau-operated schools;

"(iv) education line officers located in Bureau area or agency offices serving elementary or secondary programs;

"(v) the organization representing the majority of Bureau-funded contract or grants schools not serving students on the Navajo reservation;

"(vi) the organization representing the majority of Bureau-funded contract grants schools serving students on the Navajo reservation;

"(vii) the organization representing the school boards required in Bureau-operated schools, not serving students on the Navajo reservation; and

"(viii) the organization representing the school boards required in Bureau-operated schools, serving students on the Navajo reservation.

In addition, the members of the panel stipulated above shall designate for full membership 3 tribal chairmen (or designees) or representatives of 3 national organizations which primarily represent national Indian education concerns, or a combination of these 2 classes, provided that the National Advisory Council on Indian Education, established under the Indian Education Act of 1972, Public Law 92-318 (as amended), shall not be included as an organization for consideration under this provision.

"(f) SPECIAL PROVISION.—Not less than 25 percent of the amounts made available to local educational agencies under this title shall be used for choice programs.

"SEC. 8012. AVAILABILITY OF INFORMATION AND TRAINING.

"(a) INFORMATION AND TRAINING.—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

"(1) a State educational agency or local educational agency which uses funds under this title to develop goals, curricular frameworks, curricular materials, and assessments shall, upon request, make information related to such goals, frameworks, materials, and assessments available to private schools; and

"(2) a State educational agency or local educational agency which uses funds under this title for teacher and administrator training shall provide in its plan for the training of teachers and administrators of private schools located in the geographical area served by such agency.

"(b) WAIVER.—If, by reason of any provisions of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this title, or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and shall arrange for the provision of training consistent with State goals and curricular frameworks for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with section 1017 of this Act.

"SEC. 8013. ANNUAL PROGRESS REPORTS: TECHNICAL ASSISTANCE.

"A State which receives funds under this title shall annually report to the Secretary—

"(1) regarding such State's progress in meeting its goals and plan;

"(2) describing proposed activities for the succeeding year; and

"(3) describing Federal regulations which may impede reform activities under this title as described in local plans approved by the State.

"SEC. 8014. REPORT TO CONGRESS.

"The Secretary shall submit annually to the chairperson of the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report that contains—

"(1) a description of the progress that States receiving funds under this title have

made in developing and implementing their plans;

“(2) information from State and local reports regarding requirements in Federal law or regulation which have been identified by States and local educational agencies as impeding the system-wide reform schools under this title; and

“(3) a list by State of average per pupil expenditures reflecting the most recent data reported under section 8013(b) and reviewed under section 8013(d).

“SEC. 8015. GENERAL PROVISIONS.

“Nothing in this title shall—

“(1) supersede State law;

“(2) be construed to exempt a State or local educational agency that receives funds under this title from the requirements of subsections (a) or (b) of section 439 of the General Education Provisions Act (20 U.S.C. 1232h); or

“(3) be construed to authorize any department, agency, officer, or employee of the Federal Government to—

“(A) exercise any control over the curriculum, program of instruction, administration or personnel of any educational institution or school system; or

“(B) prescribe the use of a particular examination or standards.

“SEC. 8016. DEFINITIONS.

“For purposes of this title:

“(1) The term ‘assessment system’ means a system for measuring the abilities and academic achievement of students that is based upon a set of curricular frameworks and the expected outcomes embodied therein.

“(2) The term ‘curricular framework’ means a description, in a particular subject area, of the knowledge and skills children should acquire at each grade level.

“(3) The term ‘Pacific outlying area’ means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the compact of Free Association is ratified).”.

It was decided in the { Yeas 80
negative } Nays 328

¶101.9 [Roll No. 383]

AYES—80

Allard	Franks (CT)	Miller (OH)
Allen	Gilchrest	Miller (WA)
Archer	Goss	Moorhead
Armey	Gradison	Nussle
Baker	Grandy	Oxley
Ballenger	Hammerschmidt	Packard
Bliley	Hancock	Paxon
Boehner	Hansen	Quillen
Broomfield	Hefley	Ravenel
Bunning	Henry	Ritter
Burton	Herger	Rohrabacher
Callahan	Holloway	Ros-Lehtinen
Campbell (CA)	Inhofe	Schulze
Chandler	Johnson (TX)	Shaw
Clinger	Kasich	Shuster
Coble	Kolbe	Smith (TX)
Combest	Kyl	Spence
Coughlin	Lagomarsino	Stump
Cox (CA)	Lewis (FL)	Sundquist
Crane	Lightfoot	Taylor (NC)
Dannemeyer	Lipinski	Thomas (CA)
DeLay	Livingston	Vander Jagt
Dickinson	Lowery (CA)	Vucanovich
Doolittle	McCrery	Wolf
Dornan (CA)	McEwen	Zeliff
Dreier	McMillan (NC)	Zimmer
Duncan	Michel	

NOES—328

Abercrombie	Atkins	Bevill
Alexander	AuCoin	Bilbray
Anderson	Bacchus	Bilirakis
Andrews (ME)	Barrett	Blackwell
Andrews (NJ)	Bateman	Boehlert
Andrews (TX)	Beilenson	Bonior
Annuizio	Bennett	Borski
Anthony	Bentley	Boucher
Applegate	Bereuter	Boxer
Aspin	Berman	Brewster

Brooks	James	Pickle
Browder	Jefferson	Porter
Brown	Jenkins	Poshard
Bruce	Johnson (CT)	Price
Bryant	Johnson (SD)	Pursell
Bustamante	Johnston	Rahall
Byron	Jones (GA)	Ramstad
Camp	Jones (NC)	Rangel
Cardin	Jontz	Ray
Carper	Kanjorski	Reed
Carr	Kaptur	Regula
Chapman	Kennedy	Rhodes
Clement	Kennelly	Richardson
Coleman (MO)	Kildee	Ridge
Coleman (TX)	Klecza	Riggs
Collins (IL)	Klug	Rinaldo
Collins (MI)	Kolter	Roberts
Condit	Kopetski	Roe
Conyers	Kostmayer	Roemer
Cooper	LaFalce	Rogers
Costello	Lancaster	Rose
Cox (IL)	Lantos	Rostenkowski
Coyne	LaRocco	Roth
Cramer	Laughlin	Roukema
Darden	Leach	Rowland
Davis	Lehman (CA)	Roybal
de la Garza	Lehman (FL)	Russo
DeLauro	Lent	Sabo
Dellums	Levin (MI)	Sanders
Derrick	Levine (CA)	Sangmeister
Dicks	Lewis (CA)	Santorum
Dingell	Lewis (GA)	Sarpalius
Dixon	Lloyd	Savage
Donnelly	Long	Sawyer
Dooley	Lowey (NY)	Saxton
Dorgan (ND)	Luken	Schaefer
Downey	Machtley	Scheuer
Durbin	Manton	Schiff
Dwyer	Marlenee	Schroeder
Early	Martin	Schumer
Eckart	Martinez	Sensenbrenner
Edwards (CA)	Matsui	Serrano
Edwards (OK)	Mavroules	Sharp
Edwards (TX)	Mazzoli	Shays
Emerson	McCandless	Sikorski
Engel	McCloskey	Sisisky
English	McCurdy	Skaggs
Erdreich	McDade	Skeen
Espy	McDermott	Skelton
Evans	McGrath	Slattery
Ewing	McHugh	Slaughter
Fascell	McMillen (MD)	Smith (FL)
Fawell	McNulty	Smith (IA)
Fazio	Meyers	Smith (NJ)
Feighan	Mfume	Smith (OR)
Fields	Miller (CA)	Snowe
Fish	Mineta	Solarz
Foglietta	Mink	Spratt
Ford (MI)	Moakley	Stallings
Ford (TN)	Molinari	Stark
Frank (MA)	Mollohan	Stearns
Frost	Montgomery	Stenholm
Gallegly	Moody	Stokes
Gallo	Moran	Studds
Gaydos	Morella	Swett
Gejdenson	Morrison	Swift
Gekas	Mrazek	Synar
Gephardt	Murphy	Tallon
Geren	Murtha	Tauzin
Gibbons	Myers	Taylor (MS)
Gillmor	Nagle	Thomas (GA)
Gilman	Natcher	Thomas (WY)
Glickman	Neal (MA)	Thornton
Gonzalez	Neal (NC)	Torres
Goodling	Nichols	Torrice
Gordon	Nowak	Trafficant
Green	Oakar	Unsoeld
Guarini	Oberstar	Upton
Gunderson	Obey	Valentine
Hall (OH)	Olin	Vento
Hall (TX)	Olver	Visclosky
Hamilton	Ortiz	Volkmer
Harris	Orton	Walsh
Hastert	Owens (NY)	Washington
Hayes (IL)	Owens (UT)	Waters
Hayes (LA)	Pallone	Waxman
Hefner	Panetta	Weldon
Hertel	Parker	Wheat
Hoagland	Pastor	Whitten
Hobson	Patterson	Williams
Hochbrueckner	Payne (NJ)	Wise
Horn	Payne (VA)	Wolpe
Horton	Pease	Wyden
Houghton	Pelosi	Wyllie
Hoyer	Penny	Yates
Hubbard	Perkins	Yatron
Huckaby	Peterson (FL)	Young (AK)
Hughes	Peterson (MN)	Young (FL)
Hutto	Petri	
Jacobs	Pickett	

NOT VOTING—26

Ackerman	Gingrich	Staggers
Barnard	Hatcher	Tanner
Barton	Hopkins	Towns
Campbell (CO)	Hunter	Traxler
Clay	Hyde	Walker
Cunningham	Ireland	Weber
DeFazio	Markey	Weiss
Dymally	McCollum	Wilson
Flake	Solomon	

So the amendment in the nature of a substitute was not agreed to.

After some further time,

¶101.10 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment in the nature of a substitute submitted by Mr. GOODLING:

Strike all after the enacting clause and insert the following:

SECTION 1. PURPOSES.

The purposes of this Act are—

(1) to reconfigure the National Education Goals Panel to provide for full congressional participation;

(2) to establish a process in support of voluntary national education standards and a national system of examinations;

(3) to authorize a grants program to States and localities to encourage dramatic, new approaches to education that are likely to provide students with an opportunity to achieve the national goals;

(4) to establish a system by which States, local educational agencies, and schools can utilize Federal, State, and local education program funds in a more flexible manner in order to improve delivery and effectiveness of programs;

(5) to authorize a program of grants to States and localities to establish New American Schools; and

(6) to authorize a program of student mentoring.

SEC. 2. AUTHORIZATION OF THE NATIONAL EDUCATIONAL GOALS PANEL.

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended—

(1) by redesignating sections 8001 through 8005 as 13001 through 13005; and

(2) by inserting after title VII the following:

“TITLE VIII—VOLUNTARY STANDARDS AND ASSESSMENT

“PART A—NATIONAL EDUCATION GOALS PANEL

“SECTION 8001. GOALS PANEL.

“(a) ESTABLISHMENT.—There is established within the Department of Education a National Education Goals Panel (referred to in this part as the “Panel”).

“(b) COMPOSITION.—

“(1) IN GENERAL.—The Panel shall be composed of 14 members (referred to in this part as “members”), including—

“(A) two members appointed by the President;

“(B) eight Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party to the President, appointed by the Chairperson or Vice Chairperson of the National Governors’ Association, with each appointing individuals of such respective political party, in consultation with each other and in accordance with paragraph (2); and

“(C) four Members of Congress appointed as follows:

“(i) The majority leader of the Senate shall appoint 1 individual from among the Members of the Senate.

"(ii) The minority leader of the Senate shall appoint 1 individual from among the Members of the Senate.

"(iii) The majority leader of the House of Representatives shall appoint 1 individual from among the Members of the House of Representatives.

"(iv) The minority leader of the House of Representatives shall appoint 1 individual from among the Members of the House of Representatives.

"(2) SPECIAL APPOINTMENT RULES.—(A) The members appointed pursuant to paragraph (1)(B) shall be appointed as follows:

"(i) If the Chairperson of the National Governors' Association is from the same political party as the President, the Chairperson shall appoint 3 individuals pursuant to such paragraph and the Vice Chairperson shall appoint 5 persons pursuant to such paragraph.

"(ii) If the Chairperson of the National Governors' Association is from the opposite political party as the President, the Chairperson shall appoint 5 persons pursuant to such paragraph and the Vice Chairperson shall appoint 3 persons pursuant to such paragraph.

"(B) If the National Governors' Association has appointed a panel that meets the requirements of this subsection prior to the date of enactment of this Act, the members serving on such panel shall be deemed to be in compliance with the provisions of this subsection and shall not be required to be reappointed pursuant to this subsection.

"(c) TERMS.—The terms of service of members shall be as follows:

"(1) EXECUTIVE BRANCH.—Members appointed under paragraph (1)(A) shall serve at the pleasure of the President.

"(2) GOVERNORS.—Members appointed under paragraph (1)(B) shall serve a two-year term, except that the initial appointments under such paragraph shall be made to ensure staggered terms with one-half of such member's terms concluding every two years.

"(3) MEMBERS OF CONGRESS.—Members appointed under paragraph (1)(C) shall serve a term of four years.

"(d) INITIATION.—The Panel may begin to carry out the duties of the Panel under this part when seven members of the Panel have been appointed.

"(e) DATE OF APPOINTMENT.—The initial members shall be appointed not later than 60 days after the date of enactment of this Act.

"(f) RETENTION.—In order to retain an appointment to the Panel, a member must attend at least two-thirds of the scheduled meetings of the Panel in any given year.

"(g) VACANCIES.—A vacancy on the Panel shall not affect the powers of the Panel, but shall be filled in the same manner as the original appointment.

"(h) TRAVEL.—Each member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

"(i) CHAIRPERSON SELECTION.—

"(1) INITIAL SELECTION.—The members appointed under subsection (b)(2) shall select a Chairperson from among such members, except that after the expiration of the term or termination of the tenure of the member initially selected to serve as Chairperson, whichever is earlier, a majority of the members of the Council shall select a Chairperson from among the members.

"(2) CONTINGENT SELECTION.—If no individual described in paragraph (1) assumes the position of Chairperson of the Council 60 days after the date of the enactment of this Act, a majority of the members shall select a Chairperson from among the members.

"SEC. 8002. FUNCTIONS.

"(a) FUNCTIONS.—

"(1) IN GENERAL.—The Panel shall—

"(A) propose the indicators to be used to measure the National Education Goals and reporting progress in achieving such goals, the baselines and benchmarks against which progress may be evaluated, and the format for an annual report to the Nation;

"(B) select interim and final measures and appropriate measurement tools to be developed as necessary in each goal area;

"(C) report on the Federal actions to fulfill responsibilities to education, including funding the Federal financial role, providing more flexibility and controlling mandates that limit the States' ability to fund education;

"(D) issue a report to the President, the Congress, the Governors, and the Nation annually on progress toward the National Education Goals;

"(E) assure, through requirements for State reports, that student performance is reported in the context of other relevant information about student, school and system performance;

"(F) identify gaps in existing educational data, make recommendations for improvements in the methods and procedures for assessments that would be appropriate to assessing progress toward the National Education Goals, propose changes in national and international measurement systems as appropriate and make recommendations to the President, the Congress, and the Governors for needed improvements;

"(G) appoint members to the National Education Standards and Assessments Council; and

"(H) in accordance with paragraph (2), issue certification of content and student performance standards and the criteria for world-class assessments after submission of such notification of approval by the National Education Standards and Assessments Council.

"(2) SPECIAL RULE.—In the event that the Panel denies certification to all or part of a certification of the National Education Standards and Assessments Council, all or part of a certification shall be returned to such Council with detailed written explanations for the denial.

"(b) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Panel shall operate on the principle of consensus.

"(c) DATA COLLECTION.—The Panel shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to appropriately assess progress toward the National Education Goals.

"SEC. 8003. ANNUAL REPORT CARD.

"(a) IN GENERAL.—The Panel shall prepare and submit to the President, the appropriate committees of Congress, and the Governor of each State a national report card, that—

"(1) sets forth an analysis of the progress of the United States toward achieving the National Education Goals; and

"(2) may, as determined necessary by the Panel based on the findings of the Panel and an analysis of the views and comments of all interested parties—

"(A) identify continuing gaps in existing educational data; and

"(B) make recommendations for improvement in the methods and procedures of assessing educational attainment and strengthening the national educational assessment and information system of the Department of Education or any other appropriate Federal Government entity.

"(b) CONTINUATION.—The Panel shall issue a national report card on an annual basis for the duration of the existence of the Panel.

"(c) FORMAT.—National Report Cards shall be presented in a form that is understandable to parents and the general public.

"SEC. 8004. POWERS OF THE PANEL.

"(a) HEARINGS.—

"(1) IN GENERAL.—The Panel shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Panel considers appropriate.

"(2) PUBLIC HEARINGS.—In carrying out this part, the Panel shall conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public regarding the Panel's functions described in section 8002(a).

"(b) INFORMATION.—The Panel may secure directly from any department or agency of the United States, information necessary to enable the Panel to carry out this title. Upon request of the Chairperson of the Panel, the head of a department or agency shall furnish such information to the Panel to the extent permitted by law.

"(c) GIFTS.—The Panel may accept, use, and dispose of gifts or donations of services or property.

"(d) POSTAL SERVICES.—The Panel may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

"(e) ADMINISTRATIVE AND SUPPORTIVE SERVICES.—The Secretary of Education shall provide to the Panel, on a reimbursable basis, administrative support services as the Panel may request.

"SEC. 8005. ADMINISTRATIVE PROVISIONS.

"(a) MEETINGS.—The Panel shall meet on a regular basis, as necessary, at the call of the Chairperson of the Panel or a majority of its members.

"(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

"(c) VOTING.—No individual may vote or exercise any of the powers of a member by proxy.

"SEC. 8006. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

"(a) DIRECTOR.—The Chairperson of the Panel shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

"(b) APPOINTMENT AND PAY OF STAFF.—The Chairperson of the Panel may appoint personnel as the Chairperson considers appropriate without regard to the provisions of title 5, United States Code, governing appointments to the competitive service. The staff of the Panel may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The rate of pay of the staff of the Panel shall not exceed the rate of basic pay payable for GS15 of the General Schedule.

"(c) EXPERTS AND CONSULTANTS.—The Panel may procure temporary and intermittent services under section 3019(b) of title 5, United States Code.

"(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Panel, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that agency to the Panel to assist the Panel in its duties under this title.

"SEC. 8007. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$2,000,000 for fiscal year 1992 and such sums as may be necessary for each of the fiscal years 1993 through 2001 to carry out this part.

PART B—VOLUNTARY NATIONAL EDUCATION STANDARDS AND ASSESSMENTS
"SEC. 8101. NATIONAL EDUCATION STANDARDS AND ASSESSMENTS COUNCIL.

"(a) ESTABLISHMENT.—There is established within the Department of Education a National Education Standards and Assessments Council (referred to in this part as the "Council").

"(b) APPOINTMENT AND COMPOSITION.—

"(1) APPOINTMENT.—The Council shall be composed of 19 members (referred to in this part as "members") appointed by the National Education Goals Panel described in section 8001.

"(2) COMPOSITION.—The Council shall be composed of—

"(A) 9 educators who have demonstrated leadership in educational innovation, including at least 1 person with expertise in each of educational measurement, assessment, subject matter scholarship, and curriculum design;

"(B) 5 State and local public officials who possess strong education backgrounds and have displayed a commitment to improving education;

"(C) 5 members of the general public who have demonstrated a commitment to improving education and bring additional perspectives from the business, foundation, and advocacy communities within the private sector.

"(c) QUALIFICATIONS.—

"(1) IN GENERAL.—Members shall—

"(A) be appointed to the Council on the basis of widely recognized experience in, knowledge of, commitment to, and a demonstrated record of service to, education and to achieving education excellence at the Federal, State or local level; and

"(B) include curriculum design specialists, subject matter scholars, and testing or measurement experts (experts in educational evaluation, educational measurement, educational assessment, educational psychology, or psychometrics).

"(2) NOMINATIONS.—Members under this subsection shall be appointed from among qualified individuals nominated by the public and other groups representative of public officials, educators, and individuals described in subsection (c)(1).

"(d) TERMS.—

"(1) IN GENERAL.—The members shall be appointed for 3-year terms, with no member serving more than 2 consecutive terms.

"(2) CONFLICT OF INTEREST.—(A) No member of the Council may concurrently serve as a member of the Panel or on any other Department of Education advisory board or standing panel.

"(B)(i) No waiver shall be granted to members of the Council pursuant to section 208(b)(3) of title 18, United States Code, regarding conflict of interest.

"(ii) Any person who serves on the Council shall report any subsequent proposals for Federal, State, or local funding related to the standards and assessments described in subsection (e) to the National Goals Panel, the appropriate authorizing committees of Congress, and to the Department of Education.

"(3) DATE OF APPOINTMENT.—The initial members shall be appointed by the Panel, not later than 120 days after the date of enactment of this Act.

"(4) RETENTION.—In order to retain an appointment to the Council, a member must attend at least two-thirds of the scheduled meetings of the Council in any given year.

"(5) OFFICER SELECTION.—The members appointed under subsection (b)(2) shall select officers of the Council from among the members of the Council. The officers of the Council shall serve for 1-year terms.

"(6) VACANCIES.—A vacancy on the Council shall not affect the powers of the Council,

but shall be filled in the same manner as the original appointment.

"(7) TRAVEL.—Each member of the Council shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

"(e) FUNCTIONS OF THE COUNCIL.—

"(1) STANDARDS.—The Council shall, with regards to standards—

"(A) coordinate the effort to establish voluntary national education content and student performance standards;

"(B) develop criteria for what constitutes world-class content and student performance standards and establish guidelines for standard setting and development to ensure consensus building and broad participation in the process, including those most knowledgeable about the discipline; and

"(C) issue approval of content and student performance standards as world-class based on the criteria and guidelines described in subparagraph (B) and transmit such approved standards to the Panel for the Panel's certification.

"(2) ASSESSMENTS.—The Council shall, with regards to assessments—

"(A) be a coordinating body to encourage a voluntary system of assessments for individual students consistent with the voluntary national standards;

"(B) establish guidelines for the development and use of assessments to ensure that assessments are valid, reliable, and fair;

"(C) develop criteria for assessments, and the use of such assessments, to ensure that the assessments measure the world class standards and meet the guidelines described in subparagraph (B);

"(D) establish procedures and criteria to determine whether assessments are comparable to each other without sacrificing the validity, reliability, and fairness of the assessments;

"(E) transmit such criteria to the Panel to review for certification.

"(3) GUIDELINES.—The Council shall establish guidelines for the use and design of standards and assessments, and of data derived from such assessments, so that—

"(A) all students are provided with a rigorous and challenging curriculum designed to meet or exceed the standards;

"(B) no student is placed in a curriculum track or is otherwise labeled on the basis of such student's performance on an assessment certified pursuant to this section; and

"(C) student performance is reported in the context of other relevant information about aggregate student, school, and system performance.

"(4) REEXAMINATION.—The Council shall reexamine the criteria for certification at least once every 3 years and shall reexamine any certified national standards at least once every 3 years to ascertain whether such standards continue to meet the criteria described in paragraphs (1), (2), and (3).

"(f) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Council shall work with Federal and non-Federal agencies and organizations which are conducting research, studies, or demonstration projects to determine world-class education standards and assessments based on such standards.

"(g) PROCEDURES.—

"(1) PUBLICATION.—The Council shall publish in the Federal Register—

"(A) proposed criteria for determining what are world-class content and student performance standards;

"(B) proposed guidelines for standards setting;

"(C) proposed procedures and criteria for certifying content standards as world class; and

"(D) proposed procedures and criteria for assessments that measure such world-class standards.

"(2) FINAL REGULATIONS.—Final regulations, reflecting public comment, for the proposals developed in accordance with paragraph (1) shall be published in the Federal Register prior to the implementation of such regulations.

"(h) DATA COLLECTION.—The Council shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to carry out the Council's functions.

"SEC. 8102. ANNUAL REPORTS.

"(a) IN GENERAL.—Not later than 1 year after the date that the Council concludes its first meeting of members and in each succeeding year, the Council shall prepare and submit to the President, the appropriate committees of Congress, the Secretary, and the Governor of each State a report regarding its findings. Such report shall—

"(1) analyze the progress and obstacles, if any, toward the development and certification of world-class content and student performance standards;

"(2) analyze the progress and obstacles, if any, toward the development and certification of any criteria for assessments that reflect the world-class standards; and

"(3) analyze the progress and obstacles, if any, to the adoption of certified content and student performance standards by State and local educational agencies.

"(b) SPECIAL RULE.—In carrying out paragraph (3) of subsection (a), the Council, through the National Center for Education Statistics, shall collect information on the implementation by State and local educational agencies of certified content standards, including—

"(1) adoption of curricula frameworks, including instructional materials, assessments and teacher training that incorporates or reflects world-class content standards;

"(2) availability of school resources, including instructional materials and technology, necessary to meet world-class standards;

"(3) staff capacity;

"(4) school governance systems; and

"(5) barriers to implementation of world-class standards.

"SEC. 8103. POWERS OF THE COUNCIL.

"(a) REGIONAL MEETINGS.—(1) The Council shall convene regional meetings to obtain public involvement in the development of proposed regulations implementing this section. Such meetings shall include individuals and representatives of the groups involved in content and student performance standards setting and assessments, including educators, administrators, students, parents, curriculum and assessment experts, and organizations which have demonstrated experience in these areas.

"(2) The meetings described in paragraph (1) shall provide for a comprehensive discussion and exchange of information regarding the implementation of this section and the Council shall take into account the information received in such meetings in developing regulations.

"(3) The Council shall solicit public comment on any proposed guidelines and criteria and on standards submitted for approval and certification.

"(b) INFORMATION.—The Council may secure directly from any department or agency of the United States information necessary to enable the Council to carry out this part. Upon request of the Chairperson of the Council, the head of a department or agency shall furnish such information to the Council to the extent permitted by law.

"(c) GIFTS.—The Council may accept, use, and dispose of gifts or donations of services or property.

“(d) **POSTAL SERVICES.**—The Council may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

“(e) **ADMINISTRATIVE AND SUPPORTIVE SERVICES.**—The Secretary shall provide to the Council, on a reimbursable basis, administrative support services as the Council may request.

“SEC. 8104. ADMINISTRATIVE PROVISIONS.

“(a) **MEETINGS.**—The Council shall meet on a regular basis, as necessary, at the call of the Chairperson of the Council or a majority of its members.

“(b) **QUORUM.**—A majority of the members shall constitute a quorum for the transaction of business.

“(c) **VOTING.**—The Council shall take all action of the Council by a two-thirds majority vote of the total membership of the Council, assuring the right of the minority to issue written views. No individual may vote or exercise any of the powers of a member by proxy.

“SEC. 8105. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

“(a) **DIRECTOR.**—The Council shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director, who by virtue of education, training, and experience, is eminently qualified to assist the Council in administering the functions described in section 8101(e) of this part to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

“(b) **APPOINTMENT AND PAY OF STAFF.**—The Council may appoint personnel who by virtue of education, training, and experience are eminently qualified to assist the Council in administering the functions described in section 8101(e). Such appointments can be made without regard to the provisions of title 5, United States Code, governing appointments to the competitive service and the staff of the Council may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates. The rate of pay of the staff of the Council shall not exceed the rate of basic pay payable for GS15 of the General Schedule.

“(c) **EXPERTS AND CONSULTANTS.**—The Council may procure temporary and intermittent services under section 3019(b) of title 5, United States Code, if the individual performing such services, by virtue of education, training, and experience, is eminently qualified to assist the Council in administering the functions described in section 8101(e).

“(d) **STAFF OF FEDERAL AGENCIES.**—Upon the request of the Council, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that department or agency to the Council to assist the Council in its duties under this part.

“(e) **CONFLICT OF INTEREST.**—No director, staff, expert, or consultant may serve the Council if such person directly or indirectly has any financial interest in the development of tests or assessments related to the standards described in section 8101(e). Any person who served the Council in such capacity shall submit any subsequent proposals for Federal, State, or local funding related to the standards or assessments described in section 8101(e) to the National Goals Panel, the Congress, and to the Department of Education.

“SEC. 8106. EVALUATION.

“The National Academy of Sciences shall conduct an evaluation of the work of the Council, including—

“(1) an analysis of the technical expertise of the panel and its use of outside technical assistance;

“(2) an analysis of the process of establishing guidelines and criteria for the development and certification of standards and such guidelines and criteria;

“(3) a review of standards that are certified;

“(4) an evaluation of the process for establishing criteria for assessments of world-class standards and such criteria; and

“(5) an evaluation of the research and development work being carried out by the Department of Education, in the areas of education standards, curriculum, and assessment.

“SEC. 8107. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to the Council \$2,000,000 for each of the fiscal years 1993, and 1994 and such sums as may be necessary for fiscal years 1995 through 1997 to carry out this part.

“TITLE IX.—NEIGHBORHOOD SCHOOLS IMPROVEMENT

“SEC. 9001. SHORT TITLE.

“This title may be cited as the “Neighborhood Schools Improvement Act”.

“SEC. 9002. CONGRESSIONAL FINDINGS.

“The Congress finds that—

“(1) all students can learn and must realize their potential if the United States is to prosper;

“(2) the reforms in education of the last 15 years have achieved good results, but these efforts often have been limited to a few schools or to a single part of the educational system;

“(3) additional pilot projects will have the same limited effect as previous reforms and isolated changes in policy will most likely have minimal impact;

“(4) strategies must be developed by States and communities to support the revitalization of all local schools by fundamentally changing the entire system of education through comprehensive, coherent, and coordinated improvement;

“(5) parents, teachers and other local educators, and community leaders must be involved in developing system-wide reform strategies that reflect the needs of their individual communities;

“(6) States and local educational agencies, working together, must immediately set about developing and implementing such system-wide reform strategies if the Nation is to educate all children to meet their full potential and achieve national goals;

“(7) increasing funding for existing Federal education programs at levels that will enable them to fulfill their mission is a critical part of assisting States and local educational agencies in their school improvement efforts; and

“(8) additional Federal funds should be targeted to support State and local initiatives and to leverage State and local resources for designing and implementing system-wide reform plans.

“SEC. 9003. PURPOSE.

“The purpose of this title is to raise the quality of education for all students by supporting a 10-year broad based public effort to promote coherent and coordinated changes in the system of education throughout the Nation at the State and local level without jeopardizing funding for existing Federal education programs.

“SEC. 9004. PROGRAM AUTHORIZED.

“The Secretary is authorized, in accordance with the provisions of this title, to make grants to State educational agencies to enable States and local educational agencies to reform and improve the quality of education throughout the Nation. Such grants shall be used to—

“(1) develop innovative educational reform plans, which include State achievement goals, a means for developing or adopting high quality, challenging curricular frameworks and coordinated curricular materials, professional development strategies, and assessment instruments; and

“(2) implement reforms and plans to improve the education system at the State and local levels.

“SEC. 9005. APPLICATION.

“(a) **IN GENERAL.**—If a State desires to receive assistance under this title, the State educational agency shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require. Such application shall cover a 5-year period.

“(b) **CONSIDERATION OF APPLICATIONS.**—Each such application shall—

“(1) contain satisfactory evidence that the State educational agency has or will have authority, by legislation if necessary, to implement the plan required under section 9006;

“(2) provide an assurance that the State has a strategy for ensuring broad participation in the planning process, including parents, students, teachers, principals, superintendents, secondary and postsecondary vocational education teachers and administrators, local school board members, representatives of the employment and training network, the deans of colleges of education, representatives of community-based organizations, testing and curriculum experts, the director of the State office responsible for teacher certification, and the director of the State human services agency, to establish the goals and to refine them in the future, as well as participate in the development of all other components of the plan;

“(3) provide an assurance that the State will notify the public (including individuals with limited English proficiency), through print and electronic media and the local educational agency through actual notice—

“(A) that the State has made application for funds under this title;

“(B) of the purposes for which the funds will be used; and

“(C) that the State is developing a plan under section 9006;

“(4) provide an assurance that all students will have equal access to the curricular frameworks, high quality curricular materials, and well-qualified teachers;

“(5) describe actions taken and resources identified or committed to meet the requirements of this title;

“(6) provide an assurance that the applicant will prepare and submit to the Secretary, annual evaluations of and reports concerning the State program; and

“(7) provide an assurance that the State will carry out the provisions of section 9006.

“(c) **APPROVAL.**—The Secretary shall approve an application and any amendment to the application if the application or the amendment to such application meets the requirements of this section and is of sufficient quality to meet the objectives of this title. The Secretary shall not finally disapprove an application or an amendment to such application except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

“(d) **REAPPLICATION.**—(1) A State educational agency may apply for assistance for a second 5-year period and such application shall be approved by the Secretary if the State—

“(A) has met all of its reporting requirements; and

“(B) demonstrates that it has made reasonable progress in carrying out its plan.

“(2) The Secretary shall not finally disapprove an application or an amendment to

such application except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"SEC. 9006. DEVELOPMENT AND APPROVAL OF STATE PLAN.

"(a) ESTABLISHMENT OF PANEL.—Each State program assisted under this title shall establish a panel to develop a statewide reform plan. Such panel shall consist of—

"(1) the chief executive of the State (or designee);

"(2) the presiding officers and the minority leaders of the State legislature (or designees);

"(3) the chief State school officer;

"(4) the head of the office that coordinates higher education programs in the State or, if there is no such office, the head of the office designated under section 2008 of the Dwight D. Eisenhower Mathematics and Science Education Act (20 U.S.C. 2988) (or designee);

"(5) an individual nominated by representatives of local educational agencies that comprise between 5 to 10 percent of the local educational agencies in the State with the lowest average per pupil expenditures, except in the case of a State with a single local educational agency; and

"(6) individuals nominated by State organizations representing each of the following:

"(A) Teachers.

"(B) School administrators.

"(C) Local school boards.

"(D) Parents.

"(E) Businesses.

"(F) State board of education.

"(G) Students.

"(b) ADDITIONAL MEMBERS.—(1) The first meeting of such panel shall be convened by the chief executive of the State and the chief State school officer, where permitted by law. At such meeting, the panel members designated and nominated in subsection (a) shall select additional panel members, including the chairpersons of the State legislative committees with jurisdiction over education, individuals reflecting the ethnic and racial diversity of the general population of the State, and (except in the case of a State with a single local educational agency) an individual nominated by representatives of the 5 local educational agencies with the highest number of students eligible for services under part A of chapter 1 of title I of this Act.

"(2) The membership of the panel shall be geographically representative of all areas of the State and shall not exceed 25 in number.

"(3) Following the selection of additional members, the chief executive of the State and the chief State school officer, where permitted by law, shall convene a meeting of the full panel to establish procedures regarding the operation of subsequent meetings, including the designation of a panel chairperson, consistent with applicable State law.

"(c) DEVELOPMENT OF STATE PLAN.—(1) The panel shall develop a plan that—

"(A) establishes State goals to maximize achievement for all children in conjunction with national educational goals;

"(B) establishes curricular frameworks in specific subject matter areas that incorporate the goals established under subparagraph (A);

"(C) provides for the development or adoption of instructional materials to assist the implementation of the curricular frameworks;

"(D) allocates resources to implement such a system-wide reform plan;

"(E) provides for the establishment or adoption of a valid, reliable, and fair assessment system based upon the curricular frameworks that is capable of accurately measuring the skills and knowledge required to meet State goals;

"(F) provides for professional development strategies necessary for achieving the State goals;

"(G) establishes a process for reviewing Federal, State, and local laws and regulations and for recommending changes in such laws and regulations to further state-wide reform;

"(H) provides a process for selecting local educational agencies for participation in local system-wide reform efforts;

"(I) provides for the development of objective criteria and measures against which the success of local plans can be evaluated;

"(J) provides for the ongoing evaluation of the effectiveness of the State plan in closing the gap between high and low achieving students to be assessed using achievement and other measures such as attendance, grade retention, and dropout rates;

"(K) provides for the availability of curricular frameworks, curricular materials, and professional development in a manner ensuring equal access by all local educational agencies in the State;

"(L) provides for a thorough review of the State's school finance program, focusing on the adequacy of, and disparities in, the financial resources available to each local educational agency, and how such disparity affects the ability of the State educational agency and local educational agencies to develop and implement reform activities consistent with this title;

"(M) describes the steps the State educational agency shall take to ensure that successful programs and practices supported by subgrants awarded to local educational agencies under this title shall be disseminated to other local educational agencies in the State;

"(N) provides for the development of an adequate research, training, and evaluation capacity within the State to further the purposes of this title; and

"(O) describes methods of coordinating health and social services with education through State interagency cooperation and agreements.

"(2) In developing the plan, the panel shall—

"(A) emphasize outcome measures rather than prescribing how the State and local educational agencies should achieve such outcomes;

"(B) review recent innovations by other States and by national professional subject matter organizations in educational goals, curricula, and assessment nationally;

"(C) review existing Federal education programs and how they can contribute to the State plan; and

"(D) ensure broad-based participation through regular notice and dissemination of information to the public (including individuals with limited English proficiency) using print and electronic media.

"(3) Following the development of the plan, the panel shall seek public comment by—

"(A) publishing the plan with a comment period of at least 60 days, or

"(B) notifying the public through electronic and print media and conducting regional hearings.

"After providing the public with an opportunity to comment on the plan, the panel shall consider the public comments and make appropriate changes.

"(4) The plan shall be submitted to the State for review and approval by the State educational agency, except that any changes to such plan shall be made with the concurrence of the panel. Prior to implementing the plan, the State educational agency shall submit such plan to the Secretary for approval. In the event that the State has previously accomplished any of the reform ac-

tivities required under this title in a specific subject area or set of grade levels, the State is not required to include them in the plan but shall include a request for a waiver, including a description of such accomplishments.

"(5)(A) The Secretary shall approve a State's plan if such plan—

"(i) meets the requirements of this section;

"(ii) is of sufficient quality to meet the objectives of this title; and

"(iii) provides evidence that the State has, or will have, the resources necessary to carry it out.

"(B) The Secretary shall not finally disapprove a plan or an amendment to such plan except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"(d) REVIEW OF STATE PLAN.—The panel and the State educational agency shall review on an ongoing basis, the implementation of the State plan for the period during which the State receives funding under this title. The results of such review shall be prepared in writing by the panel and included by the State in its annual report to the Secretary under section 9013(a).

"SEC. 9007. STATE USES OF FUNDS.

"(a) USES OF FUNDS.—Funds allotted by the Secretary under section 9011(a) and State and private funds contributed to make up the total cost of a State program as provided in section 9011(b) shall be used by a State with an approved application for the following purposes—

"(1) development and implementation of the State plan, including the establishment of State goals, curricular frameworks, and assessment systems;

"(2) activities of the panel (including the travel expenses of the members of such panel);

"(3) subgrants to local educational agencies;

"(4) technical assistance (including dissemination of information) to local educational agencies to assist in developing and carrying out their plans; and

"(5) evaluation, reporting, and data collection.

"(b) LOCAL EDUCATIONAL AGENCIES.—In the first year that a State receives an allotment under this title, the State educational agency may make subgrants for the purpose of developing local plans as provided in section 9008 consistent with section 9006(c)(1)(H). In the second year, and in each succeeding year, from not less than 75 percent of the total cost of a State's program, the State educational agency shall make subgrants to local educational agencies which shall include—

"(1) at least one local educational agency in each congressional district shall receive a subgrant; and

"(2) the local educational agency with the greatest number of disadvantaged children in the State shall receive a subgrant.

"(c) SPECIAL PROVISION.—Funds available under section 9011 shall be used to carry out the plan in a manner which ensures that all children, especially those identified through the assessment process (using achievement and other measures) as not achieving satisfactorily, are afforded ample opportunity to reach local, State, and national goals.

"SEC. 9008. DEVELOPMENT AND APPROVAL OF LOCAL PLANS.

"(a) LOCAL COMMITTEE.—(1) A local educational agency which desires to receive a subgrant under this section shall establish a committee comprised of—

"(A) the chief elected officer of the unit of general purpose local government with boundaries which are most closely aligned with the geographic boundaries of the local educational agency;

"(B) the superintendent of the local educational agency;

"(C) a representative nominated by the local school board;

"(D) a representative nominated by a local teacher association;

"(E) a representative nominated by the largest business association with business members having an interest in educational improvement that operate in a geographic area that is most closely aligned with the local educational agency;

"(F) a representative nominated by the parents of children served by part A of chapter I of title I of this Act; and

"(G) the elected head of a district-wide student organization, if one exists.

"(2)(A) The first meeting of such committee shall be convened by the superintendent to enable the committee members designated and selected in paragraph (1) to select additional members including—

"(i) parents of students in elementary, middle, and secondary schools;

"(ii) representatives of community-based organizations;

"(iii) members of the general public with a strong interest in education;

"(iv) principals;

"(v) teachers;

"(vi) school counselors, psychologists, and social workers;

"(vii) curriculum, testing, and evaluation supervisors; and

"(viii) a representative of a local higher education institution.

"(B) The total number of committee members may not exceed 25.

"(C) If a comparable local committee is in place which includes more than 25 members and includes or will include representatives required by this title, the membership limit in paragraph (B) will be waived.

"(3) Following the selection of the additional members, the superintendent shall convene a meeting of the full committee to establish procedures regarding the operation of subsequent meetings, including the designation of a committee chairperson, consistent with applicable State and local law.

"(4) Each meeting of such committee shall be open to the public.

"(5) The committee shall develop the local plan described in subsection (b).

"(b) LOCAL PLAN.—(1) As described in the State reform plan, and consistent with the recommendations of the panel established under section 9006, the State shall make subgrants to local educational agencies. Each subgrant shall be of a sufficient amount to develop or implement a locally developed plan which—

"(A) is formally approved by the local educational agency;

"(B) describes a process to ensure broad-based community participation in the development of the local plan;

"(C) provides assurance that the local educational agency shall provide for an ongoing evaluation of the effectiveness of the plan in meeting State and local goals, and that such agency will annually review the local plan;

"(D) proposes district-wide reform which includes—

"(i) the setting of local goals;

"(ii) the development of adoption of curricular and instructional materials which reflect State goals, State curricular frameworks and local goals;

"(iii) the development or adoption of an assessment system which is curriculum based and includes achievement and other indicators that validly, fairly, and reliably measure progress of all students (including students from non-English language backgrounds and students with disabilities) toward meeting State and local goals;

"(iv) the provision of teacher and administrator training; and

"(v) a review and restructuring, if necessary, of the administrative and staffing structure of the local educational agency and individual schools within such agency.

"(E) describes how parents are involved in the development, operation, and evaluation of programs and activities assisted under this title;

"(F) provides for the availability of curricular frameworks, curricular materials, and professional development in a non-discriminatory manner;

"(G) provides for the ongoing evaluation of the effectiveness of the local plan in closing the gap between high and low achieving students using achievement and other measures such as attendance, grade retention, and dropout rates;

"(H) reviews existing Federal education programs, including early childhood education programs, and how they contribute to the local plan;

"(I) based on the recommendations of teachers and principals, identifies and describes Federal, State, and local laws and regulations that may impede the implementation of the plan, if any;

"(J) describes the process that will be used to ensure that the funds received will be used to the maximum extent at the local school level; and

"(K) describes the steps the local educational agency shall take to ensure that successful practices supported by assistance provided to schools under this title shall be disseminated to other schools in the local educational agency.

"(2) In making subgrants to local educational agencies under this subsection, the State shall give priority consideration to local plans which are broadly supported within their communities as evidenced by—

"(A) the comments of the local committee required under subsection (e)(2);

"(B) the record of the hearings conducted by local educational agencies under subsection (d)(2); and

"(C) letters and resolutions submitted by local groups and organizations.

"(c) ASSISTANCE FOR LOCAL PLAN DEVELOPMENT.—The State shall, upon the request of the committee of a local educational agency, provide technical assistance in the development of a local plan which—

"(1)(A) is to be submitted by a local educational agency with a large number or percentage of educationally disadvantaged students or students who have dropped out of school; or

"(B) is to be submitted by a local educational agency which demonstrates need for such assistance;

"(2) promotes comprehensive, district-wide reform; and

"(3) has the support of parents, teachers, businesses, and community-based service organizations.

"(d) SUBMISSION OF LOCAL PLAN.—(1) The committee shall submit the plan to the local educational agency for review.

"(2) Prior to consideration of the plan for approval, the local educational agency, with proper public notice, shall conduct public meetings to:

"(A) receive an explanation of the plan by the local committee;

"(B) review and discuss the plan, including—

"(i) whether it meets the requirements of this section;

"(ii) the revenue, resource, and budget implications of the plan for the local educational agency; and

"(iii) the effect of the plan on staffing, organization, personnel policies, and collective bargaining agreements of the local educational agency;

"(C) discuss possible modifications to the plan; and

"(D) solicit the views of other interested persons, including the superintendent, principals, teachers, other officials of the local educational agency, parents, and students.

"(e) CONSIDERATION OF LOCAL PLAN.—

"(1) After the meetings required under subsection (d), the local educational agency, with proper notice, shall convene a public meeting to consider the local plan and shall—

"(A) approve the plan;

"(B) disapprove the plan; or

"(C) return the plan to the committee for further development.

"(2) A local educational agency which approves a local plan shall include the written comments of the local committee prior to submitting such plan to the State for consideration for a subgrant.

"(3) Additional development, submission, and consideration of the local plan shall be consistent with the provisions of this section.

"(f) ADDITIONAL SUBGRANT.—A local educational agency may not receive an additional subgrant in a succeeding year unless such local educational agency demonstrates reasonable progress in the implementation of its local plan and, after its third year of funding under this title, provides evidence of improved student achievement.

"(g) REVIEW OF LOCAL PLAN.—(1) The committee and the local educational agency shall review, on an ongoing basis, the progress of the local educational agency in implementing the local plan for the period during which such agency receives funding under this title.

"(2) The committee shall annually submit a written progress report to the local educational agency, the State panel established under section 9006, and the State educational agency. The local educational agency may submit a separate report, including comments on the report submitted by the committee.

"SEC. 9009. LOCAL USES OF FUNDS.

"(a) DEVELOPMENT OF PLAN.—A local educational agency which receives a subgrant under this title shall use the funds for the purpose of district-wide reform, consistent with the State and local plans. Activities authorized under this section are—

"(1) the development and implementation of the local plan;

"(2) New American Schools which reflect the best available knowledge regarding teaching and learning for all students in public schools, which use the highest quality instructional materials and technologies, and which are designed to meet national, State, and local educational goals as well as the particular needs of their students and communities;

"(3) choice programs consistent with State law and State constitutions which permit parents to select the school their children will attend;

"(4) systems such as merit schools which reward public schools with students who, as a group, demonstrate improved performance on curriculum related outcome measures accepted by the States or developed in the State assessment process;

"(5) activities that supplement early childhood education programs and increase the readiness of young children to learn;

"(6) site-based management which places maximum decisionmaking authority at the individual school level and that, at a minimum, involves teachers and other professional staff;

"(7) activities which maximize parental involvement in improving the education of their children;

"(8) coordination of health and social services with education;

"(9) planning to improve the use of technology in schools;

"(10) development or adoption, with substantial involvement of principals, teachers, and other administrators, of curricula, instructional materials, and assessment instruments which are consistent with State frameworks and local goals.

"(11) other school reform activities which will bring about comprehensive school improvement through systemic change in the local educational agency; and

"(b) INVOLVEMENT OF PRINCIPALS AND TEACHERS.—A local educational agency shall involve teachers and school principals in the development, operation, and evaluation of activities assisted by funds provided under this title.

"SEC. 9010. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of carrying out this title, there are authorized to be appropriated \$700,000,000 for the fiscal year 1992, and such sums as may be necessary for each of the fiscal years 1993 through 2001.

"SEC. 9011. ALLOTMENT OF FUNDS.

"(a) TO STATES.—(1) From funds appropriated under section 9010, the Secretary shall allot to the Secretary of the Interior for each fiscal year an amount equal to ½ of 1 percent of the funds appropriated, not to exceed \$2,000,000 in any fiscal year, to benefit Indian students enrolled in schools funded by the Department of the Interior for Indian students. The provisions of subsection (b) of this section shall not apply to payments made under this paragraph.

"(2) From the remaining amount appropriated under section 9010, the Secretary shall make annual grants to States with approved applications based upon the formula established in part A of chapter 1 of title I of this Act.

"(b) MATCHING REQUIREMENT.—(1) The Federal share under this title may not exceed—

"(A) 100 percent of the total cost of a program for the first year for which a State receives funds under this title;

"(B) 85 percent of the total cost of a program for the second year for which a State receives funds under this title;

"(C) 60 percent of the total cost of a program for the third year for which a State receives funds under this title;

"(D) 45 percent of the total cost of a program for the fourth year for which a State receives funds under this title; and

"(E) 33 percent of the total cost of a program for the fifth and any succeeding year for which a State receives funds under this title.

"(2) The remaining cost of a program that receives assistance under this title shall be paid by the State from State funds and may include contributions from the private sector.

"(3) The share of payments from sources other than funds appropriated under this title may be in cash or in kind fairly evaluated.

"(4) The requirements of this subsection shall not apply to the Virgin Islands, the Commonwealth of Puerto Rico, or Pacific outlying areas.

"(c) MAINTENANCE OF EFFORT.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that either the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the preceding fiscal year was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

"(d) ADMINISTRATIVE COSTS.—From its annual allotment, a State may reserve for administration (not to include the activities of the panel) an amount not to exceed 4 percent or \$250,000, whichever is greater.

"(e) ASSURANCES AND TERMS.—(1) The funds allotted to the Secretary of the Interior under subsection (a)(1) shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such assurances and terms as the Secretary determines will best achieve the purposes of this title. The agreement shall contain an assurance that—

"(A) a panel, as set forth in paragraph (2) of this subsection, shall be established;

"(B) a plan as required in section 9006 shall be developed by such panel; and

"(C) the provisions and activities required under sections 9006 and 9007 shall be carried out in the same time frames stipulated for the States in those sections, provided that the term 'local educational agencies' shall be interpreted to mean 'schools funded by the Bureau of Indian Affairs'.

"(2) To carry out the provisions of this title, and to develop the plan required under the agreement with the Secretary required in paragraph (1), the Secretary of the Interior shall establish a panel coordinated by the Assistant Secretary of the Interior for Indian Affairs to develop a system-wide reform plan. Such panel shall consist of—

"(A) the Assistant Secretary of the Interior for Indian Affairs (or designee);

"(B) the chairpersons and ranking minority members of the Committee on Education and Labor of the House of Representatives and the Select Committee on Indian Affairs of the Senate (or their designees);

"(C) the Director of the Office of the Indian Education Programs of the Bureau of Indian Affairs and such heads of divisions in such office as the Director shall designate;

"(D) a representative nominated by each of the following—

"(i) the organization representing the majority of teachers and professional personnel in Bureau-operated schools;

"(ii) the organization representing the majority of nonteaching personnel in Bureau-operated schools, if not the same organization as in clause (i);

"(iii) school administrators of Bureau-operated schools;

"(iv) education line officers located in Bureau area or agency offices serving elementary or secondary programs;

"(v) the organization representing the majority of Bureau-funded contract or grants schools not serving students on the Navajo reservation;

"(vi) the organization representing the majority of Bureau-funded contract grants schools serving students on the Navajo reservation;

"(vii) the organization representing the school boards required in Bureau-operated schools, not serving students on the Navajo reservation; and

"(viii) the organization representing the school boards required in Bureau-operated schools, serving students on the Navajo reservation.

"In addition, the members of the panel stipulated above shall designate for full membership 3 tribal chairmen (or designees) or representatives of 3 national organizations which primarily represent national Indian education concerns, or a combination of these 2 classes, provided that the National Advisory Council on Indian Education, established under the Indian Education Act of 1972, Public Law 92-318 (as amended), shall not be included as an organization for consideration under this provision.

"SEC. 9012. AVAILABILITY OF INFORMATION AND TRAINING.

"(a) INFORMATION AND TRAINING.—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

"(1) a State educational agency or local educational agency which uses funds under this title to develop goals, curricular frameworks, curricular materials, and assessments shall, upon request, make information related to such goals, frameworks, materials, and assessments available to private schools; and

"(2) a State educational agency or local educational agency which uses funds under this title for teacher and administrator training shall provide in its plan for the training of teachers and administrators of private schools located in the geographical area served by such agency.

"(b) WAIVER.—If, by reason of any provisions of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this title, or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and shall arrange for the provision of training consistent with State goals and curricular frameworks for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with section 1017 of this Act.

"SEC. 9013. ANNUAL PROGRESS REPORTS: TECHNICAL ASSISTANCE.

"(a) ANNUAL REPORT.—A State which receives funds under this title shall annually report to the Secretary—

"(1) regarding such State's progress in meeting its goals and plan;

"(2) describing proposed activities for the succeeding year; and

"(3) describing Federal regulations which may impede reform activities under this title as described in local plans approved by the State.

"(b) ADDITIONAL REPORT: TECHNICAL ASSISTANCE.—(1) Each State which receives funds under this title shall submit to the Secretary a biennial report on revenues available to, and expenditures by, each local educational agency in the State during the second preceding year. This report shall be developed in accordance with data definitions developed and published by the National Center for Education Statistics, and shall include at least the following information for each local educational agency within the State—

"(A) sources of revenues, identified by level of government and type in the case of taxes;

"(B) types of educational services offered;

"(C) pupil enrollment, average daily attendance, and average daily membership;

"(D) demographic information on student population;

"(E) type and responsibilities of each local educational agency, including a description of grade levels served; and

"(F) age and condition of facilities, including the percent of budget expended for maintenance and operation.

"(2) After submission of the first biennial report under paragraph (1), a State, using data and definitions developed by the National Center on Education Statistics, shall include in each subsequent biennial report for each local educational agency the following information:

"(A) tax assessment rates, policies, and practices;

"(B) the ability of such local educational agency to raise additional revenues; and

"(C) the costs of providing elementary and secondary education services.

"(3) The report required by this subsection shall also contain a detailed description of the State's school finance programs including each program's—

“(A) purpose;
 “(B) eligibility criteria;
 “(C) sources of revenue;
 “(D) aggregate level of funding;
 “(E) mechanism or formula for distributing funds among local educational agencies; and
 “(F) restrictions on use of funds.

“(4) In developing data definitions under this subsection, the National Center for Education Statistics shall consult with individuals knowledgeable in the field of education finance.

“(5) Each State shall make its first report to the Secretary under this subsection not later than two years after the date that the Secretary initially allots funds under section 9011.

“(c) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance, either directly by grant or by contract, to the States to assist them in complying with the requirements of this section.

“(d) **DATA REVIEW.**—The National Center for Education Statistics shall review these data from reports compiled under this section to determine adherence to the definitions required in subsection (b) before it is submitted for policy analysis by the National Academy of Sciences under subsection (c) of section 9014. The National Center for Education Statistics shall forward to the Secretary and the National Academy of Sciences any discrepancies it determines between the data and the definitions and any corrections necessary to achieve consistency in the data, particularly as it relates to differences in data of the various States.

“SEC. 9014. EVALUATION AND DISSEMINATION.

“(a) **EVALUATION.**—The Secretary shall evaluate a representative sample of such State and local reform efforts over the course of the 10-year authorization in order to assess the effectiveness of such plans and activities in improving the education performance of all children. Such evaluations shall specifically examine the effects of such activities on disadvantaged students. The Secretary may reserve up to ¾ of one percent of the appropriations for this title to carry out this section provided that ½ of one percent of such appropriation shall be reserved for technical assistance under section 9013(c) and for subsection (c) of this section.

“(b) **DISSEMINATION.**—The Secretary shall, annually and upon request, disseminate to the States information on approaches and materials developed under this title or through related efforts.

“(c) **CONTRACT FOR STATISTICAL AND POLICY ANALYSIS.**—(1) The Secretary shall provide, through a contract with the National Academy of Sciences, for the preparation of a statistical and policy analysis of school finance and related data reported by the States under section 9013(b). Such analysis shall—

“(A) address disparities in educational expenditures and the reasons for such disparities among local educational agencies in each State and among States across the Nation; and

“(B) describe the degree to which the data reported by States under section 9013 was useful in its preparation.

“(2) In conducting such analysis, the National Academy of Sciences shall use statistical methods generally accepted by school finance specialists, and shall develop model State school finance programs based on generally accepted concepts of equalized school finance programs. Such models shall take into consideration a variety of factors, including—

“(A) State and local variations in student demographics and needs, and the costs of meeting such needs;

“(B) adequacy of resources;

“(C) ability and willingness of States and local educational agencies to raise additional revenues; and

“(D) costs of providing educational services.

“(3) Not later than three years following the date that the Secretary makes the first allotment of funds to States under section 9011, the National Academy of Sciences shall provide a report containing the information required by this subsection to the Chairpersons of the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate and to the Secretary. The Secretary shall expeditiously make such report available to States and, upon request, to the public.

“(4) The Secretary, upon request, shall provide, either directly or by contract, technical assistance to States which endeavor to implement a model school finance program developed by the National Academy of Sciences under this subsection.

“SEC. 9015. REPORT TO CONGRESS.

“The Secretary shall submit annually to the chairperson of the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report that contains—

“(1) a description of the progress that States receiving funds under this title have made in developing and implementing their plans;

“(2) information from State and local reports regarding requirements in Federal law or regulation which have been identified by States and local educational agencies as impeding the system-wide reform schools under this title; and

“(3) a list by State of average per pupil expenditures reflecting the most recent data reported under section 9013(b) and reviewed under section 9013(d).

“SEC. 9016. GENERAL PROVISIONS.

“Nothing in this title shall—

“(1) supersede State law; or

“(2) be construed to authorize any department, agency, officer, or employee of the Federal Government to—

“(A) exercise any control over the curriculum, program of instruction, administration or personnel of any educational institution or school system; or

“(B) prescribe the use of a particular examination or standards.

“SEC. 9017. DEFINITIONS.

“For purposes of this title:

“(1) The term “assessment system” means a system for measuring the abilities and academic achievement of students that is based upon a set of curricular frameworks and the expected outcomes embodied therein.

“(2) The term “curricular framework” means a description, in a particular subject area, of the knowledge and skills children should acquire at each grade level.

“(3) The term “Pacific outlying area” means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the compact of Free Association is ratified).

“TITLE X—FLEXIBILITY TO

IMPROVE EDUCATIONAL ACHIEVEMENT

“SEC. 10001. PURPOSE.

“It is the purpose of this title to allow States, local educational agencies, and schools the flexibility to use and combine Federal, State, and local funds as part of systemic educational reform plans to improve the educational achievement of elementary and secondary school students by waiving certain statutory and regulatory requirements.

“SEC. 10002. PROGRAM AUTHORIZED.

“(a) **EDUCATION PROGRAMS.**—The Secretary of Education is authorized to waive certain statutory and regulatory requirements (except as provided in section 10004) for States

that can demonstrate that such waivers are part of a systemwide education reform plan and where such States and local educational agencies have implemented similar waiver plans.

“(b) **ADDITIONAL PROGRAMS.**—Waivers may also be requested for requirements regarding the following programs:

“(1) The Head Start Act.

“(2) The Runaway and Homeless Youth Act.

“(3) The Juvenile Justice and Delinquency Prevention Act.

“(4) The National School Lunch Act.

“(5) The School Breakfast Program.

“(6) The Child and Adult Care Food Program.

“(7) The Special School Milk Program.

“(8) The Summer Food Service Program.

“(9) The Community Services Block Grant Program.

“If such waivers are requested, the Secretary shall consult with the heads of other appropriate Federal agencies, if any, in determining whether to approve a project. The Secretary shall obtain the approval of such agency head as part of final approval of such project.

“SEC. 10003. APPLICATIONS.

“(a) **GENERAL REQUIREMENTS.**—A school, local educational agency, or State that desires to receive a waiver under this part shall—

“(1) indicate which requirements are to be waived and how waiving such requirements is an integral part of the systemic reform plan and will improve educational achievement among students;

“(2) identify the Federal programs to be included in the project;

“(3) indicate which State and local requirements shall be waived;

“(4) describe specific, measurable educational improvement goals and expected outcomes;

“(5) describe methods to be used to measure progress toward meeting such goals;

“(6) describe the student population at proposed schools, including—

“(A) current data regarding the achievement levels of students, particularly disadvantaged students;

“(B) the number of students who—

“(i) are of limited English proficiency, as defined in section 7003(a)(1) of the Bilingual Education Act;

“(ii) are children with disabilities, as defined in section 602(a)(1) of the Individuals with Disabilities Act;

“(iii) are currently or within the past 5 years were migratory;

“(iv) are educationally deprived for the purposes of chapter 1 of title I of the Elementary and Secondary Education Act of 1965; and

“(v) are eligible for a free or reduced-price lunch.

“(b) **ADDITIONAL REQUIREMENTS.**—The Secretary of Education may include additional requirements as may reasonably be required.

“(c) **INDIVIDUAL SCHOOL APPLICATIONS.**—A local school that desires to receive a waiver under this title shall submit an application to the local education agency, which shall submit such application to the State education agency.

“(d) **LOCAL APPLICATIONS.**—(1) A local educational agency that desires to receive a waiver under this title shall submit an application to the State educational agency.

“(2) A State educational agency that approves an application submitted by a local education agency shall forward such application to the Secretary of Education for consideration, unless such application requires waivers for programs other than education programs.

“(3) An application that requests a waiver for a program other than an education pro-

gram shall be submitted to the chief executive of the State and such executive shall forward such application to the Secretary.

"(e) STATE APPLICATIONS.—(1) A State educational agency that desires to receive a waiver under this title shall submit an application to the Secretary for consideration, unless such application requires waivers for other than education programs.

"(2) Such application shall be submitted to the chief executive of the State for review before forwarding such application to the Secretary.

"SEC. 10004. WAIVER RESTRICTIONS.

"Requirements which shall not be waived include—

"(1) requirements governing fund allocations;

"(2) requirements governing privacy of pupil records;

"(3) requirements under title VI of the Civil Rights Act of 1964;

"(4) provisions of section 504 of the Rehabilitation Act of 1973;

"(5) provisions of title II of the Americans with Disabilities Education Act;

"(6) requirements of title IX of the Education Amendments of 1972;

"(7) requirements governing pupil rights under the Individuals with Disabilities Act; and

"(8) requirements governing—

"(A) maintenance of effort;

"(B) comparability; or

"(C) the equitable participation of students attending private schools.

"SEC. 10005. EVALUATIONS AND TECHNICAL ASSISTANCE.

"(a) LOCAL EVALUATION.—Three years after a waiver is given to a local educational agency, the Secretary of Education shall evaluate the effectiveness of such waiver in achieving education reform and raising student achievement.

"(b) TECHNICAL ASSISTANCE.—If the Secretary determines that progress in achieving educational reform is not satisfactory, the Secretary may provide technical assistance to a local educational agency.

"(c) TERMINATION.—If the Secretary determines that the technical assistance does not improve educational reform efforts, the Secretary may terminate any waivers previously granted.

"(d) NATIONAL EVALUATION.—Five years after the flexibility program is implemented and at the end of every succeeding five-year period, the Secretary shall evaluate the effectiveness of the flexibility program nationwide. The findings of such evaluation shall be submitted to the Congress not later than 120 days after such evaluation is completed.

"SEC. 10006. REPORTS.

"(a) LOCAL REPORTS.—A local educational agency or school that participates in a flexibility project under this title shall submit an annual report to the State educational agency that—

"(1) describes project activities;

"(2) evaluates the progress in achieving the goals stated in the application; and

"(3) evaluates the effectiveness of coordinating services for students and their families.

"(b) STATE REPORTS.—A State that participates in a flexibility project under this title shall submit an annual report to the Secretary of Education which evaluates the progress in achieving goals stated in the application.

"(c) SECRETARY REPORTS.—The Secretary of Education shall submit to the Congress a biennial report regarding the national progress of flexibility programs and the effect of such programs on educational reform.

"TITLE XI—NEW AMERICAN SCHOOLS

"SEC. 11001. STATEMENT OF FINDINGS.

"The Congress finds that—

"(1) many American elementary and secondary schools—

"(A) are structured according to models that are outmoded and ineffective;

"(B) rely on notions about pedagogy, management, technology, staffing, and other resources that may be outdated or insufficient for the challenges of the next century; and

"(C) are unsuccessful at equipping the majority of students with the knowledge and skills needed to succeed as citizens and in the workplace;

"(2) new approaches to elementary and secondary education are needed, and without major reforms in elementary and secondary schools, the United States will lose its ability to compete fully and successfully in the world economy;

"(3) although educational change must take place school by school, experience shows that the schools, on their own, will not alter themselves radically;

"(4) there is an appropriate Federal role in providing seed money for the establishment of new types of schools in communities across the country; and

"(5) the Nation is embarking on a major effort to support the invention of radically better forms of schooling, and to establish a network of American communities whose citizens are dedicated to the improvement of education.

"SEC. 11002. PURPOSE.

"(a) NEW SCHOOLS.—The purpose of this title is to support the creation of new schools across the country that reflect the best thinking about teaching and learning, employ the highest-quality instructional materials and technologies, and are designed to meet the national education goals, as well as the particular needs of their students and communities.

"(b) SYSTEMIC REFORM.—In order to carry out this purpose, this title authorizes financial assistance for New American Schools in communities that have undertaken systemic education reform.

"SEC. 11003. ALLOCATION OF FUNDS.

"(a) RESERVATION FOR EVALUATION.—From the amount of funds appropriated to carry out this title for fiscal years 1993, 1994, and 1995, the Secretary shall reserve a total of up to \$3,000,000 for a national program evaluation.

"(b) ALLOCATION.—The Secretary shall allocate the remaining funds among the several States in proportion to their respective numbers of members of Congress, including Senators, Representatives, and Delegates. For the purpose of this subsection, the Commonwealth of the Northern Mariana Islands and Palau (until the effective date of the Compact of Free Association with the Government of Palau) shall be treated as if they each had one member of Congress.

"SEC. 11004. STATE APPLICATIONS.

"In order for a State to qualify for its allocation under section 11003(b), the Governor and chief State school officer, where permitted by State law and constitution, shall submit an application at such time as the Secretary may determine, including—

"(1) a description of the process the Governor and chief State school officer have used, in accordance with section 11005, to nominate local educational agencies in consortia with businesses and other community organizations to create New American Schools;

"(2) a list of the local educational agencies nominated by the Governor and chief State school officer, to receive a New American School grant;

"(3) copies of the plans, prepared by each local educational agency nominated by the Governor and chief State school officer for funding under this title, for establishing and operating a New American School or

Schools, including, as necessary, a description of the steps to be taken to obtain recognition or accreditation from the State;

"(4) an identification of non-Federal resources that will be available to establish and operate each New American School in the State; and

"(5) such other information as the Secretary may require.

"SEC. 11005. SELECTION OF LOCAL EDUCATIONAL AGENCIES TO CREATE NEW AMERICAN SCHOOLS.

"(a) NOMINATION.—The Governor of each State and the chief State school officer shall nominate for a New American School grant only local educational agencies within the State that have undertaken or are planning to undertake systemic education reform.

"(b) DELEGATION AND DISTRICT NOMINATIONS.—In carrying out subsection (a), each Governor and chief State school officer shall nominate—

"(1) at least as many grant recipients as there are members in the State's congressional delegation; and

"(2) at least one local educational agency in each congressional district in the State.

"(c) SELECTION CRITERIA.—Each Governor and chief State school officer shall nominate local educational agencies on the basis of criteria established by the Secretary, based on the advice of the panel of experts established under section 11007, including, at a minimum—

"(1) the level of commitment and activity displayed by the community to undertake systemic education reform and meet the national education goals;

"(2) the need for new and innovative educational programs in the schools of the community; and

"(3) the quality of the application submitted by the applicant to the Governor and chief State school officer.

"(d) MEETING REQUIREMENTS.—(1) The Secretary, in consultation with the panel of experts established under section 11007, shall approve some or all of the local educational agencies nominated by each Governor and chief State school officer to receive New American School grants based on the Secretary's determination that such approval would be fully consistent with the purpose and requirements of this title.

"(2) The Secretary shall ensure that—

"(A) to the extent consistent with paragraph (1), a New American School or Schools is created in each congressional district and that the number of such schools created in each State is at least equal to the number of members in the State's congressional delegation; and

"(B) communities with high concentrations of children from low-income families in each State receive an equitable share of awards under this title.

"(e) ADDITIONAL RECIPIENTS.—The Governor and chief State school officer may nominate other local educational agencies or recipients if—

"(1) the Secretary does not approve one or more of the State's nominees after such nominees have been provided with a notice of disapproval and an opportunity to receive technical assistance and resubmit their proposal;

"(2) an approved local educational agency withdraws from the program; or

"(3) the Secretary determines that the community or recipient is unable successfully to carry out its project or is not making adequate progress in carrying out such project.

"SEC. 11006. AMOUNT OF AWARDS, OPERATION OF SCHOOLS, AND USES OF FUNDS.

"(a) GRANT AWARDS.—(1) The Secretary shall make grants for New American Schools to local educational agencies selected by the Secretary under section 11005(d).

"(2) The Secretary, after consultation with the Governor and chief State school officer, shall determine the total amount of each award under this title, except that—

"(A) no such award shall exceed \$1,000,000; and

"(B) the Secretary shall consider the expected student enrollment in the New American School or Schools in setting such amount.

"(b) SCHOOL DESIGNS.—In establishing a New American School, the grantee is encouraged to adapt and implement one or more New American School designs developed by research and development teams funded by the New American Schools Development Corporation.

"(c) STARTUP COSTS.—(1) Funds made available under this title may be used only to meet the special startup costs associated with the creation and establishment of a New American School, including—

"(A) planning, curriculum development, and curriculum adaptation;

"(B) training of teachers, administrators, and other staff, as well as parents and members of the community who are involved with the school;

"(C) purchase of equipment and materials;

"(D) minor renovation and remodeling of facilities; and

"(E) obtaining the assistance of outside experts, including one or more of the teams described in subsection (b), to assist in adapting and implementing one or more of the designs developed by such teams to the needs of the individual community and school.

"(2) Such funds may not be used for—

"(A) construction;

"(B) the grantee's general administrative expenses; or

"(C) the establishment or support of a private school.

"(d) RECOGNITION OR ACCREDITATION.—Each New American School shall have obtained State recognition or accreditation, as necessary, and be fully operating by the start of the 1997-1998 school year.

"SEC. 11007. SECRETARY'S PANEL OF EXPERTS.

"Not later than 90 days after the date of the enactment of this Act, the Secretary shall convene an expert panel of educators, representatives of private business, and public representatives regarding the administration of the program authorized by this title, including—

"(1) the criteria to be used to nominate local education agencies for New American Schools; and

"(2) the approval of local educational agencies nominated by Governors and chief State school officers to establish, operate and receive grants for New American Schools.

"SEC. 11008. NATIONAL EVALUATION.

"(a) IMPACT.—The Secretary shall use the funds reserved under section 11003(a) to conduct a national evaluation of the impact of the New American Schools program on schools and communities, and on education generally.

"(b) REPORTS.—The Secretary shall submit such interim evaluation reports to the President and the Congress as may be appropriate, and shall submit a final report by September 30, 1999.

"SEC. 11009. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of carrying out this title, there are authorized to be appropriated \$100,000,000 for fiscal year 1993, \$200,000,000 for fiscal year 1994, and \$300,000,000 for fiscal year 1995. Such sums shall remain available for obligation by the Secretary for 2 fiscal years beyond the fiscal year for which they are appropriated.

"SEC. 11010. DEFINITIONS.

"For the purpose of this title—

"(1) the term "community" means—

"(A) a unit of general purpose local government, such as a city, township, or village;

"(B) a geographically distinct area, such as a school district, school attendance area, ward, precinct, or neighborhood; or

"(C) an identifiable group of individuals, such as the members of a service organization, who generally reside in a particular geographic area;

"(2) the term "Governor" means the chief executive of a State;

"(3) the term "New American School" means a school that—

"(A) provides elementary or secondary education, as determined under State law;

"(B) reflects the best thinking about teaching and learning;

"(C) employs the highest-quality instructional materials and technologies;

"(D) is designed to meet the national education goals, as well as the particular needs of the students and communities it serves;

"(E) provides regular reports to the community on the achievement of its students; and

"(F) meets all State and local health and safety requirements; and

"(4) the term "State" means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until the effective date of the Compact of Free Association with the Government of Palau).

"TITLE XII—MENTOR PROGRAM

"SEC. 12001. PURPOSE.

"The purpose of this title is to improve academic performance and reduce the dropout rate of students through the use of mentors for at-risk students.

"SEC. 12002. ELIGIBLE ENTITIES.

"(a) IN GENERAL.—To be eligible to receive a grant under this title, a local educational agency or elementary or secondary school must submit an application to the Secretary of Education in such form and containing such information that the Secretary may reasonably require.

"(b) REQUIREMENTS.—Each application under subsection (a) shall include—

"(1) an assurance that 60 percent or more of the students are eligible to receive funds under chapter 1 of the Elementary and Secondary Education Act of 1965;

"(2) systematic education reform efforts are being made.

"(3) a provision for a mechanism for matching youth with mentors based on the needs of the child;

"(4) an assurance that no mentor would be assigned to more than one child to insure a one-on-one relationship;

"(5) an assurance that projects operated in secondary schools shall provide students with a variety of experiences and support, including—

"(A) an opportunity to spend time in a work environment and, when possible, participate in the work environment;

"(B) an opportunity to witness the job skills which will be required to students to obtain employment upon graduation;

"(C) assistance with homework assignments; and

"(D) exposure to experiences students might not otherwise encounter.

"(6) an assurance that projects operated in elementary schools will provide students with—

"(A) academic assistance;

"(B) exposure to new experiences and activities students might not encounter on their own; and

"(C) emotional support;

"(7) an assurance that projects shall be monitored to ensure a student is benefiting from a mentor relationship with the provi-

sion for a new mentor assignment if such relationship is not beneficial to the child; and

"(8) allowance for the use of older youth as mentors to younger children, particularly if a child has limited English proficiency and can be matched with an older child who can assist the younger child in improving literacy skills and assist with classwork assignments.

"SEC. 12003. AWARD OF GRANTS.

"(a) SELECTION CRITERIA.—The Secretary shall consider the following factors in awarding grants to local educational agencies:

"(1) The number of students who are eligible for funds under chapter 1 of the Elementary and Secondary Education Act of 1965.

"(2) The efforts made to develop and initiate systemic education reform.

"(3) The geographic distribution (urban and rural) of applicants.

"(b) GRANT PERIOD.—Grants awards under this title shall be awarded for a three-year period.

"SEC. 12004. REPORTS.

"(a) REPORTS TO SECRETARY.—Local educational agencies and schools that receive grants under this title shall submit an annual report to the Secretary of Education regarding the progress of students served under a mentor demonstration project, including:

"(1) the number and percentage of ethnic and minority students served;

"(2) the number and ages of all students served;

"(3) academic progress of all students participating.

"(4) the number of ethnic and minority individuals participating as mentors in the project; and

"(5) Community support for the project.

"(b) REPORT TO CONGRESS.—Not later than 120 days after completion of the 3-year grant cycle, the Secretary shall submit to the Congress a report regarding the success and effectiveness of the demonstration program.

"SEC. 12005. DEFINITIONS.

"For purposes of this title—

"(1) the term "at-risk student" means a student at risk for educational failure or dropping out of school; and

"(2) the term "mentor" means an individual who works with an at-risk students on a one-to-one basis, establishing a supportive relationship with such students, and providing them with academic assistance and exposure to new experiences which enhance their ability to succeed academically and become good citizens.

"SEC. 12006. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$10,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 and 1995."

SEC. 3. LIMITATION.

None of the appropriations made pursuant to authorizations contained in the amendments made by this Act may be used to provide contraceptive devices or to provide abortion counseling.

It was decided in the { Yeas 140
negative } Nays 267

101.11

[Roll No. 384]

AYES—140

Allard	Bliley	Coble
Allen	Boehner	Coleman (MO)
Applegate	Broomfield	Combest
Archer	Bunning	Coughlin
Baker	Burton	Cox (CA)
Ballenger	Byron	Crane
Barrett	Callahan	Dannemeyer
Bateman	Camp	DeLay
Bentley	Campbell (CA)	Dickinson
Bereuter	Chandler	Doolittle
Bilirakis	Clinger	Dornan (CA)

Dreier
Duncan
Edwards (OK)
Emerson
Ewing
Fawell
Fields
Franks (CT)
Gallegly
Gekas
Gilchrist
Gillmor
Goodling
Goss
Gradison
Grandy
Gunderson
Hall (TX)
Hammerschmidt
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Holloway
Hopkins
Hunter
Hutto
Inhofe
Ireland
James
Johnson (CT)
Kasich
Klug

Kolbe
Lagomarsino
Leach
Lent
Lewis (CA)
Lewis (FL)
Lightfoot
Lipinski
Livingston
Lowery (CA)
Marlenee
Martin
McCandless
McCrery
McDade
McEwen
McGrath
McMillan (NC)
Meyers
Michel
Miller (OH)
Miller (WA)
Moorhead
Morrison
Nussle
Oxley
Packard
Paxon
Petri
Porter
Pursell
Quillen
Ravenel
Regula
Rhodes

NOES—267

Abercrombie
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Armey
Aspin
Atkins
AuCoin
Bacchus
Beilenson
Bennett
Berman
Bevill
Bilbray
Blackwell
Boehlert
Bonior
Borski
Boucher
Boxer
Brewster
Brooks
Browder
Brown
Bruce
Bryant
Bustamante
Cardin
Carper
Carr
Chapman
Clement
Coleman (TX)
Collins (IL)
Collins (MI)
Condit
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeLauro
Dellums
Derrick
Dicks
Dingell
Dixon
Donnelly
Dooley
Dorgan (ND)
Downey
Durbine
Dwyer
Early

Eckart
Edwards (CA)
Edwards (TX)
Engel
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Gallo
Gejdenson
Gephardt
Geren
Gibbons
Gilman
Glickman
Gonzalez
Gordon
Green
Guarini
Hall (OH)
Hamilton
Harris
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Jacobs
Jefferson
Jenkins
Johnson (SD)
Johnson (TX)
Johnston
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecza
Kolter
Kopetski
Kostmayer
LaFalce

Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lehman (FL)
Levin (MI)
Levine (CA)
Lewis (GA)
Lloyd
Long
Lowey (NY)
Luken
Machtley
Manton
Martinez
Matsui
Mavroules
Mazzoli
McCloskey
McCurdy
McDermott
McHugh
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Molinari
Mollohan
Montgomery
Moody
Moran
Morella
Mrazek
Murphy
Nagle
Natcher
Neal (MA)
Neal (NC)
Nichols
Nowak
Oakar
Oberstar
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Pallone
Panetta
Parker
Pastor
Patterson
Payne (NJ)
Payne (VA)
Pease
Pelosi

Penny
Perkins
Peterson (FL)
Peterson (MN)
Pickett
Pickle
Poshard
Price
Rahall
Ramstad
Rangel
Ray
Reed
Rinaldo
Roe
Roemer
Rose
Rostenkowski
Roukema
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalis
Savage

Sawyer
Saxton
Scheuer
Schiff
Schumer
Serrano
Sharp
Shays
Sikorski
Sisisky
Skaggs
Skelton
Slaterry
Slaughter
Smith (FL)
Smith (IA)
Smith (NJ)
Snowe
Solarz
Spratt
Stallings
Stark
Stokes
Studds
Swett
Swift
Synar

Tallon
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Torricelli
Traficant
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Washington
Waters
Waxman
Weiss
Wheat
Whitten
Williams
Wilson
Wise
Wolpe
Wyden
Yates
Yatron
Young (FL)

NOT VOTING—27

Ackerman
Barnard
Barton
Campbell (CO)
Clay
Cunningham
DeFazio
Dymally
Flake

Gaydos
Gingrich
Hatcher
Hoagland
Hyde
Markey
McCollum
Murtha
Myers

Richardson
Schroeder
Solomon
Staggers
Tanner
Towns
Traxler
Walker
Weber

So the amendment in the nature of a substitute was not agreed to.

After some further time,

The SPEAKER pro tempore, Mr. McNULTY, assumed the Chair.

When Mr. PRICE, Chairman, pursuant to House Resolution 551, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SEC. 1. SHORT TITLE.

This Act may be cited as the "Neighborhood Schools Improvement Act".

TITLE I—COMPREHENSIVE RESTRUCTURING**SECTION 101. COMPREHENSIVE RESTRUCTURING.**

The Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.) is amended—

(1) by redesignating sections 8001 through 8005 as 10001 through 10005; and

(2) by inserting after title VII the following:

**"TITLE VIII—RESTRUCTURING PROGRAM
"PART A—NATIONAL EDUCATION STANDARDS AND ASSESSMENT"****"SECTION 8001. SHORT TITLE.**

"This part may be cited as the 'National Education Standards and Assessment Act of 1992'.

"SEC. 8002. FINDINGS AND PURPOSES.

"(a) FINDINGS.—The Congress finds that—

"(1) the establishment of voluntary national standards is an important, complex, and sensitive task and any coordinating structure for this purpose must be bipartisan, engage government at all levels, and involve the many constituencies that have an established interest in improving education;

"(2) much work in the area of developing standards has already begun and the national effort should benefit from and not attempt to duplicate quality efforts proposed

by existing Federal and non-Federal entities; and

"(3) a coordinating structure should maintain the tradition of State and local authority over education and become part of a co-operative national effort.

"(b) PURPOSES.—The purposes of this part are—

"(1) to advance the establishment of voluntary national education content standards and to raise the academic performance of students and schools throughout the Nation; and

"(2) to provide funds for the development of voluntary national school delivery standards and for further research and development on assessment to measure the progress of the Nation in meeting national education goals and standards.

"SEC. 8003. NATIONAL EDUCATION GOALS PANEL.

"(a) ESTABLISHMENT.—There is established a National Education Goals Panel (referred to in this part as the 'Panel').

"(b) COMPOSITION.—

"(1) IN GENERAL.—The Panel shall be composed of 18 members (referred to in this part as 'members'), including—

"(A) two members appointed by the President;

"(B) eight members who are Governors, three of whom shall be from the same political party as the President and five of whom shall be of the opposite political party of the President, appointed by the Chairperson and Vice Chairperson of the National Governors' Association, with each appointing representatives of his respective political party, in consultation with each other and in accordance with paragraph (2);

"(C) four Members of Congress appointed as follows:

"(i) one member appointed by the majority leader of the Senate from among the Members of the Senate;

"(ii) one member appointed by the minority leader of the Senate from among the Members of the Senate;

"(iii) one member appointed by the majority leader of the House of Representatives from among the Members of the House of Representatives; and

"(iv) one member appointed by the minority leader of the House of Representatives from among the Members of the House of Representatives; and

"(D) four members of State legislatures appointed by the President of the National Conference of State Legislatures, of which not more than two of whom may be of the same political party as the President of the United States.

"(2) SPECIAL APPOINTMENT RULES.—(A) The members appointed pursuant to paragraph (1)(B) shall be appointed as follows:

"(i) If the Chairperson of the National Governors' Association is from the same political party as the President, the Chairperson shall appoint 3 individuals pursuant to such paragraph and the Vice Chairperson shall appoint 5 individuals pursuant to such paragraph.

"(ii) If the Chairperson of the National Governors' Association is from the opposite political party as the President, the Chairperson shall appoint 5 individuals pursuant to such paragraph and the Vice Chairperson shall appoint 3 individuals pursuant to such paragraph.

"(B) If the National Governors' Association has appointed a panel that meets the requirements of this subsection prior to the date of enactment of this title, then the members serving on such panel shall be deemed to be in compliance with the provisions of this subsection and shall not be required to be reappointed pursuant to this subsection.

"(c) TERMS.—The terms of service of members shall be as follows:

“(1) EXECUTIVE BRANCH.—Members appointed under paragraph (1)(A) shall serve at the pleasure of the President.

“(2) GOVERNORS.—Members appointed under paragraph (1)(B) shall serve a two-year term, except that the initial appointments under such paragraph shall be made to ensure staggered terms with one-half of such terms of members concluding every two years.

“(3) MEMBERS OF CONGRESS.—Members appointed under paragraph (1)(C) shall serve a term of four years.

“(d) INITIATION.—The Panel may begin to carry out the duties of the Panel under this part when ten members of the Panel have been appointed.

“(e) DATE OF APPOINTMENT.—The initial members shall be appointed not later than 60 days after the date of enactment of this title.

“(f) VACANCIES.—A vacancy on the Panel shall not affect the powers of the Panel, but shall be filled in the same manner as the original appointment.

“(g) TRAVEL.—Each member shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

“(h) CHAIRPERSON SELECTION.—

“(1) INITIAL SELECTION.—The members appointed under subsection (b)(2) shall select a Chairperson from among such members, except that after the expiration of the term of the member selected under this paragraph to serve as Chairperson as of October 1, 1992, or upon the termination of the tenure of such Chairperson, whichever is earlier, a majority of the members of the Council shall select the Chairperson from among the members.

“(2) CONTINGENT SELECTION.—If no individual described in paragraph (1) assumes the position of Chairperson of the Council 60 days after the date of the enactment of this title, a majority of the members shall select a Chairperson from among the members.

“SEC. 8004. FUNCTIONS.

“(a) FUNCTIONS.—The Panel shall accomplish the following:

“(1) INTERACTIVE PROCESS.—Establish an interactive process for the development of voluntary national content standards and national school delivery standards which, to the greatest extent feasible, reflect the comments and recommendations of educators and other knowledgeable individuals across the Nation.

“(2) RECOMMENDATIONS.—Make recommendations to the Secretary regarding the selection of groups and organizations for grants to develop national content standards, national school delivery standards, and model assessments of the national content standards for mathematics.

“(3) CERTIFICATION.—Certify, after review by the technical review committee established under section 8005, the voluntary national standards submitted by the groups under sections 8011(c) and 8012(c).

“(4) EVALUATION.—Propose the indicators to be used to measure the national education goals and report progress in achieving such goals, the baselines and benchmarks against which progress may be evaluated, and the format for an annual report card to the Nation under section 8006.

“(5) MEASUREMENT.—Select interim and final measures and appropriate indicators in each goal area.

“(6) DATA.—Assure, through requirements for State reports, that data on student achievement is reported in the context of other relevant information about student, school, and system performance.

“(7) REPORT CARD.—Issue an annual report card that—

“(A) reports on the Federal actions taken to fulfill responsibilities to education;

“(B) identifies gaps in existing educational data;

“(C) recommends improvements in the methods and procedures for assessments; and

“(D) proposes changes in national and international measurement systems.

“(b) PERFORMANCE OF FUNCTIONS.—In carrying out its responsibilities, the Panel shall operate on the principle of consensus.

“(c) DATA COLLECTION.—The Panel shall make arrangements with any appropriate entity to generate or collect such data as may be necessary to appropriately assess progress toward meeting the national education goals.

“SEC. 8005. REVIEW COMMITTEE.

“(a) COMMITTEE ESTABLISHED.—

“(1) COMMITTEE MEMBERSHIP.—The Panel shall establish a technical review committee (referred to in this part as the ‘Committee’) of not more than 16 members who shall advise and assist the Panel in carrying out its functions under section 8004(a).

“(2) PUBLIC NOMINATION.—In appointing individuals to serve on the Committee, the Panel shall solicit and consider nominations made by the public.

“(3) COMMITTEE COMPOSITION.—The Committee shall be composed of—

“(A) 8 educators, including individuals with expertise regarding standards and assessment; and

“(B) 8 members of the public, including individuals who represent parents, business, civil rights advocates, child advocates, and State and local public officials.

“(b) COMMITTEE REVIEW.—

“(1) REVIEW OF STANDARDS.—After the development of each set of national content standards under section 8011 and school delivery standards under section 8012, the Committee shall review such standards to determine if such standards—

“(A) are developed consistently with the process established by the Panel under section 8004(a)(1);

“(B) are sufficiently general to be adopted by any State; and

“(C) are of high quality.

“(2) COMMITTEE RECOMMENDATION.—The Committee shall report its determination to the Panel regarding whether such standards should be certified by the Panel.

“SEC. 8006. ANNUAL REPORT CARD.

“(a) IN GENERAL.—The Panel shall prepare and submit to the President, the appropriate committees of Congress, and the Governor of each State a national report card, that shall include the following:

“(1) ANALYSIS.—An analysis of the progress of the United States toward achieving the national education goals.

“(2) COMMENTS AND RECOMMENDATIONS.—Comments and recommendations of—

“(A) Federal and State policymakers;

“(B) experts on teaching and child development;

“(C) experts on measurements;

“(D) experts on curriculum;

“(E) experts on educational administration; and

“(F) representatives of business.

“(3) IDENTIFICATION AND IMPROVEMENT.—Based on the findings of the Panel and an analysis of the views and comments of all interested parties, the Panel may identify continuing gaps in existing educational data.

“(b) CONTINUATION.—The Panel shall continue to issue a national report card on an annual basis for the duration of the existence of the Panel.

“(c) FORMAT.—National report cards shall be presented in a form that is understandable to parents and the general public.

“(d) LIMITATION.—National report cards may not include data using the achievement

goals established under section 406(i)(6)(A)(ii) of the General Education Provisions Act unless such goals have been reviewed and approved by the Commissioner of the National Center for Education Statistics.

“SEC. 8007. POWERS OF THE PANEL.

“(a) HEARINGS.—

“(1) IN GENERAL.—The Panel shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Panel considers appropriate.

“(2) PUBLIC HEARINGS.—In carrying out this part, the Panel shall conduct public hearings in different geographic areas of the country, both urban and rural, to receive the reports, views, and analyses of a broad spectrum of experts and the public regarding the functions of the Panel described in section 8004(a).

“(b) INFORMATION.—The Panel may secure directly from any department or agency of the United States, information necessary to enable the Panel to carry out this part. Upon request of the Chairperson of the Panel, the head of a department or agency shall furnish such information to the Panel to the extent permitted by law.

“(c) POSTAL SERVICES.—The Panel may use the United States mail in the same manner and under the same conditions as other departments and agencies of the United States.

“(d) ADMINISTRATIVE AND SUPPORTIVE SERVICES.—The Secretary of Education shall provide to the Panel, on a reimbursable basis, administrative support services as the Panel may request.

“SEC. 8008. ADMINISTRATIVE PROVISIONS.

“(a) MEETINGS.—The Panel shall meet on a regular basis, as necessary, at the call of the Chairperson of the Panel or a majority of its members.

“(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

“(c) VOTING.—No individual may vote or exercise any of the powers of a member by proxy.

“(d) FEDERAL ADVISORY COMMITTEE ACT.—Sections 10 and 11 of the Federal Advisory Committee Act (5 U.S.C. App.) are the only sections of such Act that shall apply with respect to the Panel and the Committee.

“SEC. 8009. DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS.

“(a) DIRECTOR.—The Chairperson of the Panel shall, without regard to the provisions of title 5, United States Code, relating to the appointment and compensation of officers or employees of the United States, appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

“(b) APPOINTMENT AND PAY OF EMPLOYEES.—

“(1) EMPLOYEE ALLOCATION.—(A) The Chairperson of the Panel may appoint not more than four employees to serve as staff to the Panel without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

“(B) The employees appointed under paragraph (1) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but shall not be paid a rate that exceeds the maximum rate of basic pay payable for GS-15 of the General Schedule.

“(2) ADDITIONAL EMPLOYEES.—The Chairperson of the Panel may appoint additional employees to serve as staff to the Panel consistent with the provisions of title 5, United States Code.

“(c) EXPERTS AND CONSULTANTS.—The Panel may procure temporary and intermittent services of experts and consultants

under section 3019(b) of title 5, United States Code.

"(d) STAFF OF FEDERAL AGENCIES.—Upon the request of the Panel, the head of any department or agency of the United States is authorized to detail, on a reimbursable basis, any of the personnel of that agency to the Panel to assist the Panel in its duties under this part.

"SEC. 8010. AUTHORITY FOR GRANT OR CONTRACT.

"The Secretary shall make grants to provide for the following:

"(1) OPERATION.—The operation and activities of the Panel.

"(2) CONTENT DEVELOPMENT.—The development of voluntary national content standards.

"(3) SCHOOL DELIVERY STANDARDS DEVELOPMENT.—The development of voluntary national school delivery standards.

"SEC. 8011. VOLUNTARY NATIONAL CONTENT STANDARDS.

"(a) DEVELOPMENT OF CONTENT STANDARDS.—The Panel shall establish the process by which content standards shall be developed. Such process shall provide for several consecutive drafts of standards which incorporate the comments and recommendations of educators and other knowledgeable individuals across the Nation.

"(b) GRANTS FOR CONTENT STANDARDS.—

"(1) GRANT RECOMMENDATIONS.—The Panel shall make recommendations to the Secretary regarding the selection of groups and organizations representing teachers and other practitioners in a broad range of academic subject areas, including mathematics, English, science, history, and geography, to receive grants to develop content standards in accordance with the process required under subsection (a).

"(2) TIME AND CONDITIONS.—In making recommendations to the Secretary, the Panel shall propose time periods and other conditions for such grants that will ensure that the process under subsection (a) can be followed.

"(3) GRANT DENIAL.—The Secretary may decline to make a grant only if such grant violates a provision of law or the general administrative regulations of the Department which govern the making of grants.

"(c) CONTENT STANDARDS RATIFICATION.—Following the development of a set of such standards, the developing organization shall organize a meeting of its members, review the standards, and by formal action ratify that such standards are of high quality and meet the following requirements:

"(1) BEST EVIDENCE.—Such standards reflect the best evidence available regarding the knowledge and skills that students should acquire in the academic subject area of such standards.

"(2) CHALLENGE.—Such standards are sufficiently challenging to ensure that American students receive instruction at world-class levels.

"(d) CONTENT STANDARDS CERTIFICATION.—

"(1) PROCESS CONFORMANCE.—After ratification of a set of standards under subsection (c), the Panel shall review the process by which such standards were developed and consult with the Committee established under section 8005 to determine and certify conformance with the process established under subsection (a).

"(2) CERTIFICATION REPORT.—The Panel shall submit to the Congress, the President, and the public a report regarding such certified content standards not later than December 31, 1994.

"SEC. 8012. VOLUNTARY NATIONAL SCHOOL DELIVERY STANDARDS.

"(a) DEVELOPMENT OF SCHOOL DELIVERY STANDARDS.—The Panel shall establish the process by which school delivery standards

shall be developed. Such process shall provide for several consecutive drafts of standards which incorporate the comments and recommendations of educators and other knowledgeable individuals across the Nation.

"(b) GRANTS FOR SCHOOL DELIVERY STANDARDS.—

"(1) SELECTION.—The Panel shall make a recommendation to the Secretary regarding the selection of a consortium of individuals and organizations to receive a grant to develop school delivery standards. To the extent possible, such consortium shall include the participation of—

"(A) Governors (except Governors serving on the Panel);

"(B) chief State school officers;

"(C) teachers (especially teachers involved in the development of content standards);

"(D) principals;

"(E) superintendents;

"(F) State and local school board members;

"(G) parents;

"(H) State legislators;

"(I) representatives of businesses;

"(J) representatives of regional accrediting associations;

"(K) representatives of federally funded entities referred to in clauses (i) and (ii) of section 405(d)(4)(A) of the General Education Provisions Act; and

"(L) civil rights groups and organizations (including those associated with the rights of individuals with disabilities).

"(2) TIME AND CONDITIONS.—In making a recommendation to the Secretary, the Panel shall propose a time period and other conditions for such grant that shall ensure that the process established under subsection (a) may be followed.

"(3) GRANT DENIAL.—The Secretary may decline to make a grant only if such grant would violate a provision of law or the general administrative regulations of the Department which govern the making of grants.

"(c) SCHOOL DELIVERY STANDARDS RATIFICATION.—After developing such school delivery standards, the consortium shall convene a meeting to review and ratify that such standards meet the following requirements:

"(1) STATE ADOPTION.—The standards are sufficiently generic to be adopted for use in any State without unduly restricting State and local prerogatives regarding the instructional methods to be employed.

"(2) FAIR OPPORTUNITY.—The standards are likely, if properly implemented, to ensure that each student in a school has a fair opportunity to achieve the knowledge and skills set out in the national content standards and the work force readiness standards under title IX.

"(d) SCHOOL DELIVERY STANDARDS CERTIFICATION.—

"(1) PROCESS CONFORMANCE.—After ratification of a set of standards under subsection (c), the Panel shall review the process by which such standards were developed and consult with the Committee established under section 8005 to determine and certify that such standards are of high quality and that they conform with the process established under subsection (a).

"(2) CERTIFICATION REPORT.—The Panel shall submit to the Congress, the President, and the public a report containing such certified school delivery standards not later than December 31, 1994.

"SEC. 8013. GENERAL PROVISIONS RELATING TO STANDARDS.

"(a) CONTINUED REVIEW.—The Panel shall periodically (not more than once every 3 years) review national content standards to determine whether such standards continue to reflect the best evidence available regarding what children should know.

"(b) NO INFLUENCE.—Nothing in this part shall be construed to permit the Secretary to

prescribe or influence the content of particular standards.

"SEC. 8014. ASSESSMENT.

"While taking into consideration the existing research on assessment that the Office of Educational Research and Improvement is addressing, the Panel shall make recommendations to the Secretary regarding such research on authentic assessment which such Office should undertake.

"SEC. 8015. EVALUATION AND REPORTS.

"(a) EVALUATION.—The Secretary shall, through the National Academy of Sciences, conduct an evaluation and issue reports that include the following:

"(1) EVALUATION REPORT.—An evaluation of the effectiveness of—

"(A) school delivery standards described in section 8012(c)(2);

"(B) research on authentic assessment conducted by the Office of Educational Research and Improvement; and

"(C) the model assessments for national content standards for mathematics.

"(2) RECOMMENDATIONS.—Recommendations regarding the need for additional criteria to determine the validity, reliability, and fairness of assessments.

"(3) CRITERIA.—Criteria for evaluating—

"(A) whether assessments are substantially aligned to the national content standards; and

"(B) the sufficiency of evidence regarding the technical quality of an assessment in relation to its intended use.

"(b) REPORTS.—

"(1) INTERIM REPORT.—The National Academy of Sciences shall submit to the Congress, Secretary of Education, and the public an interim report regarding the material described in subsection (a) not later than December 31, 1993.

"(2) FINAL REPORT.—The National Academy of Sciences shall submit to the Congress, Secretary of Education, and the public a final report regarding the material described in subsection (a) not later than December 31, 1994.

"SEC. 8016. DEFINITIONS.

"For purposes of this title—

"(1) the term 'content standards' means a description, in a particular subject area, of the knowledge and skills children should acquire at each grade level;

"(2) the term 'school delivery standards' means the standards necessary to ensure that each student in a school has a fair opportunity to achieve the knowledge and skills set out in the national content standards and work force readiness standards including evidence that—

"(A) the school has formally adopted curriculum reflecting the national content standards;

"(B) the curriculum is being taught in the classroom;

"(C) teachers understand the curriculum and are able to teach it;

"(D) teachers and students have access to curricular materials (textbooks, instructional materials) that are necessary for mastery of the standards;

"(E) the school has instructional methods and policies in place to promote mastery of the content standards by all students (including no tracking, policies to help children stay in school, fair and equitable discipline policies, and appropriate policies concerning crime, violence, and drug use);

"(F) school administrators are well prepared; and

"(G) the school facilities have the requisite libraries and laboratories necessary to provide an opportunity to learn.

"SEC. 8017. AUTHORIZATION OF APPROPRIATIONS.

"(a) AUTHORIZATION FOR PANEL.—There are authorized to be appropriated \$2,000,000 for

each of the fiscal years 1993 through 1996 for grants to the National Education Goals Panel established under section 8003 to carry out its duties under this part.

"(b) AUTHORIZATION FOR EVALUATIONS AND REPORTS.—There are authorized to be appropriated \$2,000,000 for fiscal years 1993 and 1994 for the National Academy of Sciences to carry out section 8015.

"(c) AUTHORIZATION FOR NATIONAL CONTENT STANDARDS.—There are authorized to be appropriated \$10,000,000 for fiscal year 1993 and such sums as may be necessary for each of the fiscal years 1994 through 1996 to carry out section 8011.

"(d) AUTHORIZATION FOR NATIONAL SCHOOL DELIVERY STANDARDS.—There are authorized to be appropriated a total of \$5,000,000 for the fiscal years 1993 and 1994 to carry out section 8012.

"PART B—NEIGHBORHOOD SCHOOLS IMPROVEMENT

"SEC. 8101. SHORT TITLE.

"This part may be cited as the 'Neighborhood Schools Improvement Act'.

"SEC. 8102. CONGRESSIONAL FINDINGS.

"The Congress finds that—

"(1) all students can learn and must realize their potential if the United States is to prosper;

"(2) the reforms in education of the last 15 years have achieved good results, but these efforts often have been limited to a few schools or to a single part of the educational system;

"(3) additional pilot projects will have the same limited effect as previous reforms and isolated changes in policy will most likely have minimal impact;

"(4) strategies must be developed by States and communities to support the revitalization of all local schools by fundamentally changing the entire system of education through comprehensive, coherent, and coordinated improvement while recognizing the diverse cultural and language backgrounds and learning abilities of students;

"(5) parents, teachers and other local educators, and community leaders must be involved in developing system-wide reform strategies that reflect the needs of their individual communities;

"(6) States and local educational agencies, working together, must immediately set about developing and implementing such system-wide reform strategies if the Nation is to educate all children to meet their full potential and achieve national goals;

"(7) increasing funding for existing Federal education programs at levels that will enable them to fulfill their mission is a critical part of assisting States and local educational agencies in their school improvement efforts; and

"(8) additional Federal funds should be targeted to support State and local initiatives and to leverage State and local resources for designing and implementing system-wide reform plans.

"SEC. 8103. PURPOSE.

"It is the purpose of this part to raise the quality of education for all students by supporting a 10-year broad based public effort to promote coherent and coordinated changes in the system of education throughout the Nation at the State and local levels without jeopardizing funding for existing Federal education programs.

"SEC. 8104. PROGRAM AUTHORIZED.

"The Secretary is authorized, in accordance with the provisions of this part, to make grants to State educational agencies to enable States and local educational agencies to reform and improve the quality of education throughout the Nation. Such grants shall be used to—

"(1) develop innovative educational reform plans, which include State achievement

goals, a means for developing or adopting high quality, challenging curricular frameworks and coordinated curricular materials, professional development strategies, and assessments; and

"(2) implement reforms and plans to improve the education system at the State and local levels.

"SEC. 8105. APPLICATION.

"(a) IN GENERAL.—If a State desires to receive assistance under this part, the State educational agency shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require. Such application shall cover a 5-year period.

"(b) CONSIDERATION OF APPLICATIONS.—Each such application shall—

"(1) contain satisfactory evidence that the State educational agency has or will have authority, by legislation if necessary, to implement the plan required under section 8106;

"(2) provide an assurance that the State has a strategy for ensuring broad participation in the planning process, including parents, students, teachers, principals, superintendents, local school board members, representatives of businesses with an interest in educational improvement, representatives of rehabilitation organizations, representatives of the employment and training network (including the vocational education system), the deans of colleges of education, representatives of community-based organizations, testing and curriculum experts, the director of the State office responsible for teacher certification, and the director of the State human services agency, to establish the goals and to refine them in the future, as well as participate in the development of all other components of the plan;

"(3) provide an assurance that the State will notify the public (including individuals with limited English proficiency), through print and electronic media (and other accessible formats) and notice to each local educational agency—

"(A) that the State has made application for funds under this part;

"(B) of the purposes for which the funds will be used; and

"(C) that the State is developing a plan under section 8106;

"(4) provide an assurance that all students will have equal access to the curricular frameworks, high quality curricular materials, and well-qualified teachers;

"(5) describe actions taken and resources identified or committed to meet the requirements of this title;

"(6) provide an assurance that the applicant will prepare and submit to the Secretary, annual evaluations of and reports concerning the State program; and

"(7) provide an assurance that the State will carry out the provisions of section 8106.

"(c) APPROVAL.—The Secretary shall approve an application and any amendment to the application if the application or the amendment to such application meets the requirements of this section and is of sufficient quality to meet the objectives of this part. The Secretary shall not finally disapprove an application or an amendment to such application except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"(d) REAPPLICATION.—(1) A State educational agency may apply for assistance for a second 5-year period and such application shall be approved by the Secretary if the State—

"(A) has met all of its reporting requirements; and

"(B) demonstrates that it has made reasonable progress in carrying out its plan.

"(2) The Secretary shall not finally disapprove an application or an amendment to

such application except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"SEC. 8106. DEVELOPMENT AND APPROVAL OF STATE PLAN.

"(a) ESTABLISHMENT OF PANEL.—Each State program assisted under this title shall establish a panel to develop a statewide reform plan. Such panel shall consist of—

"(1) the chief executive of the State (or designee);

"(2) the presiding officers and the minority leaders of the State legislature (or designees);

"(3) the chief State school officer;

"(4) the head of the office that coordinates higher education programs in the State or, if there is no such office, the head of the office designated under section 2008 of the Dwight D. Eisenhower Mathematics and Science Education Act (20 U.S.C. 2988) (or designee);

"(5) except in the case of a State with a single local educational agency, an individual nominated by representatives of local educational agencies that comprise between 5 to 10 percent of the local educational agencies in the State with the lowest average per pupil expenditures;

"(6) an individual representing the State board of education; and

"(7) individuals nominated by State organizations representing each of the following:

"(A) Teachers.

"(B) School administrators.

"(C) Local school boards.

"(D) Parents.

"(E) Businesses.

"(F) Students.

"(b) ADDITIONAL MEMBERS.—(1) The first meeting of such panel shall be convened by the chief State school officer. At such meeting, the panel members designated and nominated in subsection (a) shall select additional panel members, including—

"(A) the chairpersons of the State legislative committees with jurisdiction over education;

"(B) director of the parent training and information center (for children with disabilities);

"(C) individuals reflecting the ethnic and racial diversity of the general population of the State; and

"(D) (except in the case of a State with a single local educational agency) an individual nominated by representatives of the 5 local educational agencies with the highest number of students eligible for services under part A of chapter 1 of title I of this Act.

"(2) The membership of the panel shall—

"(A) be geographically representative of all areas of the State;

"(B) reflect the racial and ethnic diversity of the population of the State; and

"(C) not exceed 25 in number.

"(3) Following the selection of additional members, the chief State school officer shall convene a meeting of the full panel to establish procedures regarding the operation of subsequent meetings, including the designation of a panel chairperson, consistent with applicable State law.

"(c) DEVELOPMENT OF STATE PLAN.—(1) The panel shall develop a plan that—

"(A) establishes State goals to maximize achievement for all children in conjunction with national educational goals;

"(B) establishes curricular frameworks in specific subject matter areas that incorporate the goals established under subparagraph (A);

"(C) provides for the adoption of school delivery standards;

"(D) provides for the development or adoption of instructional materials to assist the implementation of the curricular frameworks;

"(E) allocates resources to implement such a system-wide reform plan;

"(F) provides for the establishment or adoption of a valid, reliable, and fair assessment system based upon the curricular frameworks that is capable of accurately measuring the skills and knowledge required to meet State goals;

"(G) provides for professional development strategies necessary for achieving the State goals;

"(H) establishes a process for reviewing Federal, State, and local laws and regulations and for recommending changes in such laws and regulations to further state-wide reform;

"(I) provides a process for selecting local educational agencies for participation in local system-wide reform efforts;

"(J) provides for the development of objective criteria and measures against which the success of local plans can be evaluated;

"(K) provides for the ongoing evaluation of the effectiveness of the State plan in closing the gap between high and under-achieving students to be assessed using achievement and other measures such as attendance, grade retention, and dropout rates;

"(L) provides for the availability of curricular frameworks, curricular materials, and professional development in a manner ensuring equal access by all local educational agencies in the State;

"(M) provides for a thorough review of the State's school finance program, focusing on the adequacy of, and disparities in, the financial resources available to each local educational agency, and how such disparity affects the ability of the State educational agency and local educational agencies to develop and implement reform activities consistent with this part;

"(N) describes the steps the State educational agency shall take to ensure that successful programs and practices supported by subgrants awarded to local educational agencies under this part shall be disseminated to other local educational agencies in the State;

"(O) provides for the development of an adequate research, training, and evaluation capacity within the State to further the purposes of this part;

"(P) describes methods of coordinating health, rehabilitation, and social services with education through State interagency cooperation and agreements;

"(Q) provide for the dissemination of information on curricular frameworks and supportive services for students with disabilities to enable such students to participate;

"(R) describes the steps the State educational agency shall take to provide remedial assistance to students, schools, and local educational agencies that are identified through the assessment system under subparagraph (E) as having a need for such assistance; and

"(S) provides for the development of a strategy to coordinate the use and integration of technology in schools throughout the State for the purposes of instruction (including approaches such as live interactive distance learning), implementation of the plan, and training of parents, teachers, and administrators.

"(2) In developing the plan, the panel shall—

"(A) emphasize outcome measures rather than prescribe how the State and local educational agencies should achieve such outcomes;

"(B) review recent innovations by other States and by national professional organizations with expertise in educational goals, curricula, and assessment;

"(C) review existing Federal education programs and how they can contribute to the State plan; and

"(D) ensure broad-based participation through regular notice and dissemination of information to the public (including individuals with limited English proficiency) using print and electronic media and other accessible formats.

"(3) The panel in developing the plan, shall solicit and consider the views and recommendations of persons having knowledge of the needs of students with disabilities, including parents, students, and special education teachers and administrators.

"(4) Following the development of the plan, the panel shall seek public comment by—

"(A) publishing the plan with a comment period of at least 60 days, or

"(B) notifying the public (including individuals with limited English proficiency) through electronic and print media (and other accessible formats) and by conducting regional hearings.

After providing the public with an opportunity to comment on the plan, the panel shall consider the public comments and make appropriate changes.

"(5) The plan shall be submitted to the State for review and approval by the State educational agency, except that any changes to such plan shall be made with the concurrence of the panel. Prior to implementing the plan, the State educational agency shall submit such plan to the Secretary for approval. In the event that a State has, pursuant to a State law enacted not later than July 1, 1992, established a reform panel which substantially satisfies the requirements of this section or has previously accomplished any of the reform activities under this part, the State is not required to reconstitute such panel or include such activities in the plan, but may include a request for a waiver, including a description of such panel or accomplishments.

"(6)(A) The Secretary shall approve a State's plan if such plan—

"(i) meets the requirements of this section; and

"(ii) provides evidence that the State has, or will have, the resources necessary to carry it out.

"(B) The Secretary shall not finally disapprove a plan or an amendment to such plan except after giving reasonable notice, technical assistance, and an opportunity for a hearing.

"(d) REVIEW OF STATE PLAN.—The panel and the State educational agency shall review on an ongoing basis, the implementation of the State plan for the period during which the State receives funding under this part. The results of such review shall be prepared in writing by the panel and included by the State in its annual report to the Secretary under section 8113(a).

"SEC. 8107. STATE USES OF FUNDS.

"(a) USES OF FUNDS.—Funds allotted by the Secretary under section 8111(a)(2) and State and private funds contributed to make up the total cost of a State program as provided in section 8111(b) shall be used by a State with an approved application for the—

"(1) development and implementation of the State plan, including the establishment of State goals, curricular frameworks, school delivery standards, and assessment systems;

"(2) activities of the panel (including the travel expenses of the members of such panel);

"(3) subgrants to local educational agencies;

"(4) technical assistance (including dissemination of information) to local educational agencies to assist in developing and carrying out their plans; and

"(5) evaluation, reporting, and data collection.

"(b) LOCAL EDUCATIONAL AGENCIES.—In the first year that a State receives an allotment

under this part, the State educational agency may make subgrants for the purpose of developing local plans as provided in section 8108 consistent with section 8106(c)(1)(I). In the second year, and in each succeeding year, from not less than 75 percent of the total cost of a State's program, the State educational agency shall make subgrants to local educational agencies which shall include—

"(1) at least one subgrant to a local educational agency in each congressional district; and

"(2) a subgrant to the local educational agency with the greatest number of disadvantaged children in the State.

"(c) SPECIAL PROVISION.—Funds available under section 8111 shall be used to carry out the plan in a manner which ensures that all children, especially those identified through the assessment process (using achievement and other measures) as not achieving satisfactorily, are afforded ample opportunity to reach individual, local, State, and national goals.

"SEC. 8108. DEVELOPMENT AND APPROVAL OF LOCAL PLANS.

"(a) LOCAL COMMITTEE.—(1) A local educational agency which desires to receive a subgrant under this section shall establish a committee comprised of—

"(A) the chief elected officer of the unit of general purpose local government with boundaries which are most closely aligned with the geographic boundaries of the local educational agency (or a designee);

"(B) the superintendent of the local educational agency;

"(C) a representative nominated by the local school board;

"(D) a representative nominated by a local teacher association;

"(E) the director of special education of the local educational agency;

"(F) a representative nominated by an influential business association with business members that have an interest in educational improvement and operate in a geographic area that is most closely aligned with the local educational agency;

"(G) a representative nominated by the parents of children served by part A of chapter 1 of title I of this Act; and

"(H) the elected head of a district-wide student organization, if one exists.

"(2)(A) The first meeting of such committee shall be convened by the superintendent to enable the committee members designated and selected in paragraph (1) to select additional members including—

"(i) parents of students in elementary, middle, and secondary schools;

"(ii) a representative nominated by parents of children served under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

"(iii) representatives of community-based organizations;

"(iv) members of the general public with a strong interest in education;

"(v) principals;

"(vi) teachers;

"(vii) school counselors, psychologists, and social workers;

"(viii) curriculum, testing, and evaluation supervisors; and

"(ix) a representative of a local higher education institution.

"(B) The total number of committee members may not exceed 30 and shall reflect the racial and ethnic diversity of the geographical area served by the local educational agency.

"(3) Following the selection of the additional members, the superintendent shall convene a meeting of the full committee to establish procedures regarding the operation of subsequent meetings, including the des-

ignation of a committee chairperson, consistent with applicable State and local law.

"(4) Each meeting of such committee shall be open to the public and accessible to individuals with disabilities.

"(5) The committee shall develop the local plan described in subsection (b).

"(6) In the event that a local educational agency has, pursuant to a State law enacted not later than July 1, 1992, established a reform committee which substantially satisfies the requirements of this section or has previously accomplished any of the reform activities under this part, the local educational agency is not required to reconstitute such committee or include such activities in the plan, but may include a request for a waiver, including a description of such committee or accomplishments.

"(b) LOCAL PLAN.—(1) As described in the State reform plan, and consistent with the recommendations of the panel established under section 8106, the State shall make subgrants to local educational agencies. Each subgrant shall be of a sufficient amount to develop or implement a locally developed plan which—

"(A) is formally approved by the local educational agency;

"(B) describes a process to ensure broad-based community participation in the development of the local plan, including parents, students, teachers, principals, representatives of rehabilitation organizations, representatives of the employment and training network, representatives of local business associations, and representatives of community-based organizations;

"(C) provides assurance that the local educational agency shall provide for an ongoing evaluation of the effectiveness of the plan in meeting State and local goals, and that such agency will annually review the local plan;

"(D) proposes district-wide reform which includes—

"(i) the setting of local goals;

"(ii) a process to ensure that—

"(I) curricular and instructional materials reflect State goals, State curricular frameworks and local goals; and

"(II) an assessment system is developed or adopted which is curriculum-based and includes achievement and other indicators that validly, fairly, and reliably measure progress of all students (including students with limited English proficiency and students with disabilities) toward meeting State and local goals;

"(iii) the provision of teacher and administrator training; and

"(iv) a review and restructuring, if necessary, of the administrative and staffing structure of the local educational agency and individual schools within such agency.

"(E) describes how parents and secondary school students are involved in the development, operation, and evaluation of programs and activities assisted under this part;

"(F) provides for the availability of curricular frameworks, curricular materials, and professional development in a non-discriminatory manner;

"(G) provides for the ongoing evaluation of the effectiveness of the local plan in closing the gap between high and under-achieving students using achievement and other measures such as attendance, grade retention, and dropout rates;

"(H) reviews existing Federal education programs, including early childhood education programs, and how they contribute to the local plan;

"(I) based on the recommendations of students, teachers and principals, identifies and describes Federal, State, and local laws and regulations that may impede the implementation of the plan, if any;

"(J) describes the process that will be used to ensure that the funds received will be used

to the maximum extent at the local school level;

"(K) describes the steps the local educational agency shall take to ensure that successful practices, supported by assistance provided to schools under this part shall be disseminated to other schools in the local educational agency;

"(L) provides special attention to the needs of minority students, including instructional programs and activities that—

"(i) reflect cultural awareness and multicultural diversity;

"(ii) encourage alternative learning styles; and

"(iii) encourage such students in elementary and secondary schools to aspire to enter higher education programs;

"(M) provides special attention to the needs of females, including instructional programs and activities that—

"(i) encourage increased participation in math and sciences; and

"(ii) promote gender equity in classrooms and curricula; and

"(N) provides for the ongoing evaluation of the impact of the local plan on the separate educational achievements of girls and boys.

"(2) In making subgrants to local educational agencies under this subsection, the State shall give priority consideration to local plans which are broadly supported within their communities as evidenced by—

"(A) the comments of the local committee required under subsection (e)(2);

"(B) the record of the hearings conducted by local educational agencies under subsection (d)(2); and

"(C) letters and resolutions submitted by local groups and organizations.

"(c) ASSISTANCE FOR LOCAL PLAN DEVELOPMENT.—The State shall provide technical assistance in the development of a local plan where necessary which—

"(1)(A) is to be submitted by a local educational agency with a large number or percentage of educationally disadvantaged students, students who have dropped out of school, or students with disabilities; or

"(B) is to be submitted by a local educational agency which demonstrates need for such assistance;

"(2) promotes comprehensive, district-wide reform; and

"(3) has the support of parents, teachers, businesses, and community-based service organizations.

"(d) SUBMISSION OF LOCAL PLAN.—(1) The committee shall submit the plan to the local educational agency for review.

"(2) Prior to consideration of the plan for approval, the local educational agency, with proper public notice (including notice in accessible formats), shall conduct public meetings to:

"(A) receive an explanation of all aspects of the plan by the local committee;

"(B) review and discuss the plan, including—

"(i) whether it meets the requirements of this section;

"(ii) the revenue, resource, and budget implications of the plan for the local educational agency; and

"(iii) the effect of the plan on staffing, organization, personnel policies, and collective bargaining agreements of the local educational agency;

"(C) discuss possible modifications to the plan; and

"(D) solicit the views of other interested individuals, including the superintendent, principals, teachers, other officials of the local educational agency, parents, and students.

"(e) CONSIDERATION OF LOCAL PLAN.—

"(1) After the meetings required under subsection (d), the local educational agency, with proper notice, shall convene a public

meeting to consider the local plan and shall—

"(A) approve the plan with or without modification;

"(B) disapprove the plan; or

"(C) return the plan to the committee for further development.

"(2) A local educational agency which approves a local plan shall include the written comments of the local committee prior to submitting such plan to the State for consideration for a subgrant.

"(3) Additional development, submission, and consideration of the local plan shall be consistent with the provisions of this section.

"(f) ADDITIONAL SUBGRANT.—A local educational agency may not receive an additional subgrant in a succeeding year unless such local educational agency demonstrates reasonable progress in the implementation of its local plan and, after its third year of funding under this part, provides evidence of improved student achievement.

"(g) REVIEW OF LOCAL PLAN.—(1) The committee and the local educational agency shall review, on an ongoing basis, the progress of the local educational agency in implementing the local plan for the period during which such agency receives funding under this part.

"(2) The committee shall annually submit a written progress report to the local educational agency, the State panel established under section 8106, and the State educational agency. The local educational agency may submit a separate report, including comments on the report submitted by the committee.

"SEC. 8109. LOCAL USES OF FUNDS.

"(a) DEVELOPMENT OF PLAN.—A local educational agency which receives a subgrant under this part shall use the funds for the purpose of district-wide reform, consistent with the State and local plans. Authorized activities may include—

"(1) development and implementation of the local plan;

"(2) New American Schools which reflect the best available knowledge regarding teaching and learning for all students in public schools, which use the highest quality instructional materials and technologies, and which are designed to meet national, State, and local educational goals as well as the particular needs of their students and communities;

"(3) systems such as merit schools which reward public schools with students who, taken as a whole, demonstrate improved performance on curriculum related outcome measures accepted by the States or developed in the State assessment process;

"(4) activities that supplement early childhood education programs and increase the readiness of young children to learn;

"(5) site-based management which places maximum decisionmaking authority at the individual school level and that, at a minimum, involves teachers and other professional staff;

"(6) activities which maximize parental involvement in improving the education of their children;

"(7) coordination of health, rehabilitation, and social services with education;

"(8) activities that provide incentives for higher levels of student performance and lead to improved student motivation and achievement;

"(9) planning to improve the use of technology (including instructional and assistive technology) in schools;

"(10) professional development activities of teachers and local administrators;

"(11) replication of successful education programs or components of such programs that will enable the local educational agency

to attain the goals of the State and local plans;

"(12) provision of technical assistance to individual schools to enable such schools to attain the goals of the State and local plans;

"(13) development or adoption, with substantial involvement of principals, teachers, and other administrators, of curricula, instructional materials, and assessment instruments which are consistent with State frameworks and local goals;

"(14) support initiatives of teachers related to the State curricular frameworks, development and implementation of the local plan, and innovative approaches to improving student achievement;

"(15) support of initiatives similar to those authorized under paragraph (14) by local school cooperatives or consortia which are a part of an educational reform plan;

"(16) demonstrating and evaluating the effectiveness of improving teacher and student performance by reducing the numbers of students in classrooms;

"(17) improving the academic performance and reducing the dropout rate of at-risk students through the use of mentors; and

"(18) development and implementation of programs that help stimulate understanding ethics, civic and character values, and the principles of democracy as a means of enhancing and improving elementary and secondary education.

"(b) INVOLVEMENT OF PRINCIPALS AND TEACHERS.—A local educational agency shall involve teachers and school principals in the development, operation, and evaluation of activities assisted by funds provided under this part.

"SEC. 8110. AUTHORIZATION OF APPROPRIATIONS.

"For the purpose of carrying out this part, there are authorized to be appropriated \$800,000,000 for the fiscal year 1992, and such sums as may be necessary for the fiscal years 1993 through 2001.

"SEC. 8111. ALLOTMENT OF FUNDS.

"(a) TO STATES.—(1) From funds appropriated under section 8110, the Secretary shall allot to the Secretary of the Interior for each fiscal year an amount equal to ½ of 1 percent of the funds appropriated, not to exceed \$2,000,000 in any fiscal year, to benefit Indian students enrolled in schools funded by the Department of the Interior for Indian students. The provisions of subsection (b) of this section shall not apply to payments made under this paragraph.

"(2) From the remaining amount appropriated under section 8110, the Secretary shall make annual grants to States with approved applications based upon the formula established in part A of chapter 1 of title I of this Act.

"(3)(A) The Assistant Secretary of the Interior for Indian Affairs shall reserve, from the allotment to carry out this subsection, an amount not to exceed \$500,000 to provide, through the National Academy of Sciences, for an analysis of the costs associated with meeting the academic standards of the Bureau of Indian Affairs by each school funded by such Bureau. The results of such analysis shall be reported, in aggregate and school specific form, to the chairpersons of the Committee on Education and Labor of the House and the Select Committee on Indian Affairs of the Senate and to the Assistant Secretary of the Interior for Indian Affairs not later than 6 months following the date of enactment of this title.

"(B) Such analysis shall evaluate the cost of providing a program in each school funded by the Bureau of Indian Affairs during the academic year July 1, 1992, through June 30, 1993, and shall be based on—

"(i) the standards—

"(I) published by such Bureau in the Federal Register and in effect for Bureau operated schools on July 1, 1992, or

"(II) incorporated within grant or contract agreements in effect on such date for tribally controlled schools funded by such Bureau through the Student Equalization program under section 1126 of Public Law 95-561, as amended;

"(ii) the best projections of student counts and demographics, as independently determined by such Academy; and

"(iii) the pay and benefit schedules and other personnel requirements for each such Bureau funded school, in effect on July 1, 1992.

"(b) MATCHING REQUIREMENT.—(1) The Federal share under this part may not exceed—

"(A) 100 percent of the total cost of a program for the first year for which a State receives funds under this part;

"(B) 85 percent of the total cost of a program for the second year for which a State receives funds under this part;

"(C) 60 percent of the total cost of a program for the third year for which a State receives funds under this part;

"(D) 45 percent of the total cost of a program for the fourth year for which a State receives funds under this part; and

"(E) 33 percent of the total cost of a program for the fifth and any succeeding year for which a State receives funds under this part.

"(2) The remaining cost of a program that receives assistance under this part shall be paid by the State from State funds and may include contributions from the private sector.

"(3) The share of payments from sources other than funds appropriated under this part may be in cash or in kind fairly evaluated.

"(4) The requirements of this subsection shall not apply to the Virgin Islands, the Commonwealth of Puerto Rico, or Pacific outlying areas.

"(c) MAINTENANCE OF EFFORT.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that either the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the preceding fiscal year was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second preceding fiscal year.

"(d) ADMINISTRATIVE COSTS.—From its annual allotment, a State may reserve for administration (not to include the activities of the panel) an amount not to exceed 4 percent or \$250,000, whichever is greater.

"(e) ASSURANCES AND TERMS.—(1) The funds allotted to the Secretary of the Interior under subsection (a)(1) shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such assurances and terms as the Secretary determines will best achieve the purposes of this part. The agreement shall contain an assurance that—

"(A) a panel, as set forth in paragraph (2) of this subsection, shall be established;

"(B) a plan as required in section 8106 shall be developed by such panel; and

"(C) the provisions and activities required under sections 8106 and 8107 shall be carried out in the same time frames stipulated for the States in those sections, provided that the term 'local educational agencies' shall be interpreted to mean 'schools funded by the Bureau of Indian Affairs'.

"(2) To carry out the provisions of this part, and to develop the plan required under the agreement with the Secretary required in paragraph (1), the Secretary of the Interior shall establish a panel coordinated by

the Assistant Secretary of the Interior for Indian Affairs to develop a system-wide reform plan. Such panel shall consist of—

"(A) the Assistant Secretary of the Interior for Indian Affairs (or designee);

"(B) the chairpersons and ranking minority members of the Committee on Education and Labor of the House of Representatives and the Select Committee on Indian Affairs of the Senate (or their designees);

"(C) the Director of the Office of Indian Education Programs of the Bureau of Indian Affairs and such heads of divisions in such office as the Director shall designate;

"(D) a representative nominated by each of the following—

"(i) the organization representing the majority of teachers and professional personnel in Bureau-operated schools;

"(ii) the organization representing the majority of nonteaching personnel in Bureau-operated schools, if not the same organization as in clause (i);

"(iii) school administrators of Bureau-operated schools;

"(iv) education line officers located in Bureau area or agency offices serving elementary or secondary programs;

"(v) the organization representing the majority of Bureau-funded contract or grants schools not serving students on the Navajo reservation;

"(vi) the organization representing the majority of Bureau-funded contract or grants schools serving students on the Navajo reservation;

"(vii) the organization representing the school boards required in Bureau-operated schools, not serving students on the Navajo reservation; and

"(viii) the organization representing the school boards required in Bureau-operated schools, serving students on the Navajo reservation.

In addition, the members of the panel stipulated above shall designate for full membership 3 tribal chairmen (or designees) or representatives of 3 national organizations which primarily represent national Indian education concerns, or a combination of these 2 classes, provided that the National Advisory Council on Indian Education, established under the Indian Education Act of 1972, (25 U.S.C. 2601 et seq.) shall not be included as an organization for consideration under this provision.

"SEC. 8112. AVAILABILITY OF INFORMATION AND TRAINING.

"(a) INFORMATION AND TRAINING.—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

"(1) a State educational agency or local educational agency which uses funds under this part to develop goals, curricular frameworks, curricular materials, and assessments shall, upon request, make information related to such goals, frameworks, materials, and assessments available to private schools; and

"(2) a State educational agency or local educational agency which uses funds under this part for teacher and administrator training shall provide in its plan for the training of teachers and administrators of private schools located in the geographical area served by such agency.

"(b) WAIVER.—If, by reason of any provision of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this part, or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and

shall arrange for the provision of training consistent with State goals and curricular frameworks for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with section 1017 of this Act.

"SEC. 8113. ANNUAL PROGRESS REPORTS: TECHNICAL ASSISTANCE.

"(a) ANNUAL REPORT.—A State which receives funds under this part shall annually report to the Secretary—

"(1) regarding such State's progress in meeting its goals and plan;

"(2) describing proposed activities for the succeeding year; and

"(3) describing Federal regulations which may impede reform activities under this part as described in local plans approved by the State.

"(b) ADDITIONAL REPORT: TECHNICAL ASSISTANCE.—(1) Each State which receives funds under this part shall submit to the Secretary a biennial report on revenues available to, and expenditures by, each local educational agency in the State during the second preceding year. This report shall be developed in accordance with data definitions developed and published by the National Center for Education Statistics, and shall include at least the following information for each local educational agency within the State—

"(A) sources of revenues, identified by level of Government and type in the case of taxes;

"(B) types of educational services offered;

"(C) pupil enrollment, average daily attendance, and average daily membership;

"(D) demographic information on student population;

"(E) type and responsibilities of each local educational agency, including a description of grade levels served; and

"(F) age and condition of facilities, including the percent of budget expended for maintenance and operation.

"(2) After submission of the first biennial report under paragraph (1), a State, using data and definitions developed by the National Center on Education Statistics, shall include in each subsequent biennial report for each local educational agency the following information:

"(A) Tax assessment rates, policies, and practices.

"(B) The ability of such local educational agency to raise additional revenues.

"(C) The costs of providing elementary and secondary education services.

"(3) The report required by this subsection shall also contain a detailed description of the State's school finance programs including each program's—

"(A) purpose;

"(B) eligibility criteria;

"(C) sources of revenue;

"(D) aggregate level of funding;

"(E) mechanism or formula for distributing funds among local educational agencies; and

"(F) restrictions on use of funds.

"(4) In developing data definitions under this subsection, the National Center for Education Statistics shall consult with individuals knowledgeable in the field of education finance.

"(5) Each State shall make its first report to the Secretary under this subsection not later than two years after the date that the Secretary initially allots funds under section 8111.

"(c) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance, either directly by grant or by contract, to the States to assist them in complying with the requirements of this section.

"(d) DATA REVIEW.—The National Center for Education Statistics shall review the

data from reports compiled under this section to determine adherence to the definitions required in subsection (b) before it is submitted for policy analysis by the National Academy of Sciences under subsection (c) of section 8114. The National Center for Education Statistics shall forward to the Secretary and the National Academy of Sciences any discrepancies it determines between the data and the definitions and any corrections necessary to achieve consistency in the data, particularly as it relates to differences in data of the various States.

"SEC. 8114. EVALUATION AND DISSEMINATION.

"(a) EVALUATION.—The Secretary shall evaluate a representative sample of such State and local reform efforts over the course of the 10-year authorization in order to assess the effectiveness of such plans and activities in improving the educational performance of all children. Such evaluations shall specifically examine the effects of such activities on disadvantaged students. The Secretary may reserve up to $\frac{3}{4}$ of one percent of the appropriations for this part to carry out this section provided that $\frac{1}{2}$ of one percent of such appropriation shall be reserved for technical assistance under section 8113(c) and for subsection (c) of this section.

"(b) DISSEMINATION.—The Secretary shall, annually and upon request, disseminate to the States information on approaches and materials developed under this part or through related efforts.

"(c) CONTRACT FOR STATISTICAL, LEGAL, AND POLICY ANALYSIS.—(1) The Secretary shall provide, through a contract with the National Academy of Sciences, for the preparation of a statistical, legal, and policy analysis of school finance and related data reported by the States under section 8113(b). Such analysis shall—

"(A) address disparities in educational expenditures and the reasons for such disparities among local educational agencies in each State and among States across the Nation; and

"(B) describe the degree to which the data reported by States under section 8113 was useful in its preparation.

"(2) In conducting such analysis, the National Academy of Sciences shall use statistical methods generally accepted by school finance specialists, and shall develop model State school finance programs based on generally accepted concepts of equalized school finance programs. Such models shall take into consideration a variety of factors, including—

"(A) State and local variations in student demographics and needs, and the costs of meeting such needs;

"(B) adequacy of resources;

"(C) ability and willingness of States and local educational agencies to raise additional revenues; and

"(D) costs of providing educational services.

"(3) Not later than three years following the date that the Secretary makes the first allotment of funds to States under section 8111, the National Academy of Sciences shall provide a report containing the information required by this subsection to the Chairpersons of the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate and to the Secretary. The Secretary shall expeditiously make such report available to States and, upon request, to the public.

"(4) The Secretary, upon request, shall provide, either directly or by contract, technical assistance to States which endeavor to implement a model school finance program developed by the National Academy of Sciences under this subsection.

"SEC. 8115. REPORT TO CONGRESS.

"The Secretary shall submit annually to the chairpersons of the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate a report that contains—

"(1) a description of the progress that States receiving funds under this part have made in developing and implementing their plans;

"(2) information from State and local reports regarding requirements in Federal law or regulation which have been identified by States and local educational agencies as impeding the system-wide reform of schools under this part; and

"(3) a list by State of average per pupil expenditures reflecting the most recent data reported under section 8113(b) and reviewed under section 8113(d).

"SEC. 8116. GENERAL PROVISIONS.

"Nothing in this part shall—

"(1) supersede State law;

"(2) be construed to authorize any department, agency, officer, or employee of the Federal Government to—

"(A) exercise any control over the curriculum, program of instruction, administration or personnel of any educational institution or school system; or

"(B) prescribe the use of particular standards, assessments, or instructional materials;

"(3) be construed to limit the rights or responsibilities of any person under any Federal law; or

"(4) be construed to prohibit a local educational agency from receiving contributions from private organizations or individuals for the purpose of supporting the development or implementation of its local reform plan.

"SEC. 8117. DEFINITIONS.

"For purposes of this part:

"(1) The term 'assessment system' means a system for measuring the abilities and academic achievement of students that is based upon a set of curricular frameworks and expected outcomes.

"(2) The term 'curricular framework' means a description, in a particular subject area, of the knowledge and skills children should acquire.

"(3) The term 'Pacific outlying area' means American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau (until such time as the Compact of Free Association is ratified).

"PART C—FLEXIBILITY DEMONSTRATION PROGRAM

"SEC. 8201. SHORT TITLE.

"This part may be cited as the 'Flexibility for Educational Effectiveness Act of 1992'.

"SEC. 8202. FINDINGS AND PURPOSES.

"(a) FINDINGS.—The Congress finds that—

"(1) schools face increasingly diverse populations of disadvantaged students due to the influx of many immigrant children, the growth in poverty among children, and changes in the family structure;

"(2) schools are asked not only to educate such increasingly diverse student populations, but to meet disadvantaged students' needs for social, health, and nutritional services;

"(3) Federal and State programs are available to assist in educating and otherwise helping such students, but were designed originally when it was easier to meet the needs separately; and

"(4) a demonstration program that waives specific Federal statutes and regulations is necessary to determine whether education and other services can be provided in a more coordinated manner so that teachers, principals, and other school personnel can develop more flexible approaches to improving

the education, social, health, mental health, and nutrition levels of disadvantaged children.

“(b) PURPOSES.—It is the purpose of this part to demonstrate the effectiveness in several States and schools, of granting waivers of Federal and State laws and regulations so that services can be more effectively provided to disadvantaged children.

“SEC. 8203. ESTABLISHMENT OF FEDERAL COMMITTEE.

“(a) IN GENERAL.—There is established a Committee on Services to Children (referred to in this part as the ‘Committee’) composed of the Secretaries of Education, Agriculture, Labor, and Health and Human Services. Such Committee shall coordinate certain activities of the Departments of Education, Agriculture, Labor, and Health and Human Services to facilitate demonstration projects that waive certain requirements of Federal laws and regulations administered by such departments.

“(b) NOTIFICATION.—Not later than 60 days after the establishment of the Committee under this section, such Committee shall publish in the Federal Register a notice and description of programs providing health, mental health, social services, or substance abuse prevention and treatment for which waivers of requirements are available under other Federal laws for the purpose of encouraging the coordination of such programs with programs included in this part.

“(c) DUTIES.—The Committee shall review applications from States for demonstration projects and approve applications of not more than 15 States involving not more than 20 schools in each State.

“(d) LIMITATION.—The Committee shall not exercise authority over the development or specific provisions of an application submitted by a State.

“SEC. 8204. PROGRAM AUTHORIZED.

“(a) STATES.—The Committee is authorized to waive certain requirements in not more than 15 States involving not more than 20 schools in each State for demonstration purposes to find more flexible ways to provide education and other services to disadvantaged students. The demonstration projects may include the simplification, coordination, and combination of some of the requirements in the following four categories—

“(1) related Federal and State preschool and early childhood programs for disadvantaged children;

“(2) related Federal and State programs for disadvantaged students in elementary and secondary schools;

“(3) Federal and State educational programs for disadvantaged children and social, health, and nutrition programs targeted at such children; and

“(4) the administration of Federal and State school lunch and school breakfast programs.

“(b) TERRITORIES.—(1) Notwithstanding the definition of State in section 1471, the Secretary is authorized to consider an application from each of the territories of the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands and to waive certain requirements in not more than four schools for each of such territories.

“(2) The requirements of subsection (a) regarding the number of States and schools that may be approved for waivers shall not include the territories listed in paragraph (1).

“SEC. 8205. ELIGIBILITY.

“(a) STATE ELIGIBILITY.—To be eligible to participate in a demonstration project under this part, a State educational agency shall have, or make a concerted attempt to develop, coordinated service agreements with other agencies of the State that administer

social services, health, mental health, and substance abuse prevention and treatment programs. Such agreements shall include descriptions of the manner in which such services for disadvantaged students are coordinated at the State level.

“(b) LOCAL ELIGIBILITY.—To be eligible to participate in a demonstration project under this part, a local educational agency shall—

“(1) develop the application with the involvement of a local reform committee established under section 8108 of part B or under State law; and

“(2) have, or make a concerted attempt to develop, coordinated service agreements with other local agencies and organizations to better coordinate the provision of education, social services, health, mental health, and substance abuse prevention and treatment programs to disadvantaged students. Such services shall be available at a location convenient for such students and their families.

“SEC. 8206. APPLICATIONS.

“(a) GENERAL LOCAL REQUIREMENTS.—A local educational agency that desires to participate in a demonstration project that waives certain State and Federal requirements to improve the delivery of services to disadvantaged children shall submit an application that includes not more than 4 schools in the jurisdiction of such agency to the State educational agency.

“(1) LOCAL REQUEST FOR WAIVERS.—A local educational agency that desires to request waivers of statutory or regulatory requirements to better serve disadvantaged students shall submit an application that—

“(A) identifies each school that desires waivers of Federal and State requirements and describes how such requirements impede improved educational outcomes;

“(B) specifically identifies each Federal and State statutory requirement to be waived;

“(C) describes how program funds shall be combined with chapter 1 funds to provide more effective services in the regular classroom for disadvantaged students;

“(D) describes how the combining of funds shall—

“(i) allow the school to provide services to disadvantaged students in a more comprehensive, less fragmented approach;

“(ii) allow the school to better meet the educational needs of disadvantaged students; and

“(iii) allow the school to allocate resources more effectively;

“(E) describes the specific educational improvement goals for each school, including—

“(i) goals to substantially improve the performance of disadvantaged students on indicators of student progress that are tied to State and national education goals and which reflect public input;

“(ii) goals that reflect the broad purposes of each program for which the waiver is sought; and

“(iii) an explanation of how the local educational agency shall evaluate the progress of each school in meeting its educational improvement goals in order to measure—

“(I) physical, psychological, and educational readiness of disadvantaged children to learn;

“(II) skill levels of students eligible for chapter 1 funds in reading, mathematics, analytical reasoning, and higher order thinking;

“(III) the dropout, retention, and graduation rates;

“(IV) teacher and student absenteeism; or

“(V) other factors associated with student and school success;

“(F) describes the population of disadvantaged students at each school, the academic and other needs of such students, and how

the needs of such students shall be addressed by the demonstration projects;

“(G) describes how school administrators, teachers, staff, and parents shall be involved in the planning, development, and implementation of the goals for each participating school; and

“(H) assures that the local educational agency shall report annually to the State educational agency on the progress of the school in meeting the goals described in the application.

“(2) LOCAL REQUEST FOR SOCIAL, HEALTH, AND NUTRITION PROGRAM WAIVERS.—A local educational agency that desires to receive waivers of statutory or regulatory requirements to improve the social, health, and nutritional services to disadvantaged students shall submit an application to the State educational agency that—

“(A) includes a description of the impediments to providing effective social, health, and nutritional services to disadvantaged children;

“(B) identifies the Federal and State statutory or regulatory requirements to be waived;

“(C) describes the service goals to be achieved;

“(D) assures that the local educational agency shall report annually to the State educational agency on the progress of the school in meeting the goals described in the application.

“(3) LOCAL REQUEST OF SCHOOL AND CHILD NUTRITION PROGRAM WAIVERS.—A local educational agency that desires to receive waivers of statutory or regulatory requirements relating to the operation of school lunch and school breakfast programs shall submit an application to the State educational agency that—

“(A) includes a description of the impediments to the efficient operation and administration of the school lunch or school breakfast program;

“(B) identifies the Federal statutory or regulatory requirements to be waived;

“(C) describes the management goals to be achieved, such as fewer hours spent on or fewer personnel dedicated to the administration of such programs; and

“(D) assures that the local educational agency shall report annually to the State educational agency on the progress of school in meeting the goals described in the application.

“(b) GENERAL STATE REQUIREMENTS.—A State educational agency that desires to request waivers of statutory requirements or regulations shall submit an application to the Committee that includes the following:

“(1) SCHOOL SELECTION.—The names of the not more than 20 schools in such State selected to participate in a demonstration project.

“(2) REQUIREMENT WAIVERS.—For each such school, the identification of the statutory or regulatory requirements that are requested to be waived and the goals that the school intends to achieve.

“(3) STATE ACTION.—A description of the action that the State has undertaken to remove State statutory or regulatory barriers identified in the applications of the local educational agencies.

“(4) PROGRAM COMBINATION.—A description of the extent to which the State has combined State programs for educating disadvantaged students and State social health, mental health, and substance abuse programs with similar Federal programs, including the administration of such programs.

“(5) MONITORING PROCESS.—An assurance that the State educational agency shall monitor quarterly the progress of the schools in meeting the goals outlined in the application and that such agency shall re-

port annually on such progress to the Committee.

“(6) APPROPRIATE APPROVAL.—If a local educational agency has requested a waiver of a Federal or State statutory or regulatory requirement that is not within the jurisdiction of the State educational agency, the written approval of the appropriate State official responsible for such requirement.

“(c) PRIORITIES.—

“(1) LOCAL PRIORITY.—The State educational agency shall give priority consideration to the selection of schools with large numbers or percentages of students eligible to receive a free or reduced price meal and schools that are—

“(A) participating in school-wide projects under chapter 1;

“(B) recipients of multiple Federal educational programs serving disadvantaged students; and

“(C) combining Federal and State social, health, mental health, and substance abuse services with Federal and State education programs affected by this part.

“(2) STATE PRIORITY.—The Committee shall give priority consideration to an application of a State that—

“(A) demonstrates that actions have been taken to waive State statutory or regulatory requirements in programs similar to the Federal programs for which the waivers are sought; and

“(B) demonstrates (and provides evidence of authority) that the State has or intends to coordinate and combine the administration of similar Federal and State education programs affected by this part and also to coordinate such programs with social, health, mental health, and substance abuse programs.

“SEC. 8207. FEDERAL WAIVERS OF GENERAL REQUIREMENTS.

“A State educational agency may request waivers of Federal statutory or regulatory requirements relating to the uses of funds for programs serving disadvantaged students to allow funds to be combined to better serve disadvantaged students in the regular classroom.

“(1) PRESCHOOL PROGRAMS.—In the case of preschool programs serving disadvantaged students, such programs shall include chapter 1 and may include—

“(A) Head Start (only for requirements related to age, family income, length of day, and restrictions on reimbursement);

“(B) Even Start;

“(C) the Child Care Quality Improvement Act; and

“(D) the Comprehensive Child Development Centers Act of 1988.

“(2) ELEMENTARY SCHOOL.—In the case of programs serving disadvantaged students at the elementary school level, such programs shall include chapter 1 and may include—

“(A) chapter 2 of this Act;

“(B) the Jacob K. Javits Gifted and Talented Students Education Act of 1988;

“(C) the Drug Free Schools and Communities Act of 1986;

“(D) the Head Start Transition Project Act;

“(E) the Follow Through Act; and

“(F) the Emergency Immigrant Education Act of 1984.

“(3) SECONDARY SCHOOL.—In the case of programs serving disadvantaged students at the secondary school level, such programs shall include chapter 1 and may include—

“(A) the Carl D. Perkins Vocational and Applied Technology Act;

“(B) the Job Training Partnership Act;

“(C) chapter 2 of this Act;

“(D) the School Dropout Demonstration Assistance Act of 1988;

“(E) the Drug Free Schools and Communities Act of 1986; and

“(F) the Emergency Immigrant Education Act of 1984.

“SEC. 8208. FEDERAL WAIVERS OF REQUIREMENTS FOR SOCIAL, HEALTH, AND NUTRITION PROGRAMS.

“A State educational agency may request waivers of Federal statutory or regulatory requirements relating to the operation of programs designed to improve the social, health, and nutritional condition of disadvantaged children. Requests may include waivers for—

“(1) the Nutrition Education and Training Program under the Child Nutrition Act;

“(2) Programs for Improvement of Comprehensive School Health Education under the Secretary's Fund for Innovation in section 4605 of title IV of this Act;

“(3) Alcohol and Drug Abuse Education Act; and

“(4) the Drug Free Schools and Communities Act.

“SEC. 8209. FEDERAL WAIVERS OF REQUIREMENTS FOR NATIONAL SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS.

“The State educational agency may request waivers of Federal statutory or regulatory requirements relating to the operation of the school lunch and school breakfast programs authorized under the National School Lunch and Child Nutrition Acts in order to promote more efficient operation of such programs.

“SEC. 8210. RESTRICTIONS ON WAIVERS.

“(a) IN GENERAL.—A local educational agency may request waivers only for those programs in which such agency participates and nothing in this part may be construed:

“(1) CIVIL RIGHTS AND DISCRIMINATION.—To authorize any changes in, substitutions for, or lessening of, the mandates and protections of Federal laws and regulations regarding civil rights (under title VI of the Civil Rights Act of 1964), discrimination (under title IX of the Education Amendments of 1972, or section 504 of the Rehabilitation Act of 1973, or the Age Discrimination Act of 1975), and safety, and the procedural safeguards contained in such provisions.

“(2) USAGE OF FUNDS.—To affect regulations and prohibitions concerning the diversion of Federal funds for private use.

“(3) GENERAL REQUIREMENTS.—To absolve any State, local educational agency or school from—

“(A) maintenance of effort or comparability of services requirements under any program;

“(B) requirements that Federal funds supplement, not supplant non-Federal funds;

“(C) requirements to provide for the equitable participation of private school students;

“(D) requirements under sections 438 and 439 of the General Education Provisions Act; or

“(E) requirements relating to parental participation.

“(4) FUND DISTRIBUTION.—To alter the distribution of funds to schools within the local educational agency, or to change the way funds are utilized within schools for programs not included in the waiver.

“(5) CONSTRUCTION, RENOVATION, AND REPAIR.—To permit funds made available for services and activities to be used for the construction, renovation, or repair of facilities.

“(b) RESTRICTIONS OF SCHOOL LUNCH AND CHILD NUTRITION PROGRAMS.—Nothing in this part shall be construed:

“(1) DISCLOSURE OF INFORMATION.—To lessen the mandates regarding the prohibition on the disclosure of information regarding students receiving free or reduced price meals.

“(2) PRICE LIMITATION.—To allow eligible schools to charge more than the statutory price limit for a reduced price meal.

“(3) MEAL COSTS.—To lessen the mandates regarding the requirements for serving free or reduced price meals to eligible students.

“(4) REIMBURSEMENT.—To allow schools to receive a reimbursement at an amount greater than the number or proportion of students eligible for free, reduced price, or paid meals.

“(5) PROHIBITION.—To lessen the requirements regarding the prohibition on operating a profit-producing program.

“(6) SALE.—To lessen the requirements regarding the sale of competitive foods.

“(7) NUTRITION.—To lessen the mandates regarding the nutritional content of the meals served.

“(c) SPECIAL RULE.—Any reporting requirements required by programs affected by sections 8207, 8208, and 8209 shall be waived and considered satisfied by the reporting requirements in this part.

“SEC. 8211. TERMINATION OF WAIVER AUTHORITY.

“(a) EARLY TERMINATION.—A waiver granted to a State or school shall be terminated when the following occurs:

“(1) PROGRESS.—The school has not demonstrated adequate progress toward meeting the goals outlined in the application of the local educational agency.

“(2) VIOLATION.—When a State or school has been found in violation of any restriction on the waiver authority.

“(b) FINAL TERMINATION.—The authority of the Committee to grant waivers shall expire on September 30, 1997.

“(c) DECLINE PARTICIPATION.—A school, at any time, may decline to participate in a project under this part.

“SEC. 8212. REPORTING REQUIREMENTS.

“(a) STATE REQUIREMENT.—A State educational agency that is selected for a demonstration project under this part shall report annually to the Committee on the progress of each participating school in meeting the goals articulated in the application of the local educational agency and shall include the following:

“(1) INTERAGENCY AGREEMENTS.—Identification of the interagency mechanism established to coordinate the delivery of services at the State and local level.

“(2) ACHIEVEMENT LEVELS.—Evaluation of the impact of coordinated services on the achievement levels of students eligible for chapter 1 funds including—

“(A) reading and math skills;

“(B) analytical reasoning skills;

“(C) dropout rates;

“(D) retention rates;

“(E) graduation rates;

“(F) student absenteeism;

“(G) teacher absenteeism; and

“(H) other indicators considered by the local educational agency to be appropriate.

“(3) SERVICE REVIEW.—Identification of the specific steps taken—

“(A) to expand or restrict eligibility for services or programs;

“(B) to establish new services;

“(C) to expand existing services;

“(D) to increase hours of service;

“(E) to integrate services from other systems (such as mental health, nutrition, social services, and substance abuse prevention and treatment);

“(F) to involve new staff in the delivery of services; and

“(G) to enhance parental involvement.

“(b) COMMITTEE REQUIREMENT.—The Committee shall report annually to the Committee on Education and Labor in the House of Representatives and the Committee on Labor and Human Resources of the Senate, and the Committee on Agriculture, Nutrition, and Forestry of the Senate, on the progress in each of the schools in meeting the goals in the application of the local educational agency.

"SEC. 8213. EVALUATION.

"(a) NATIONAL ACADEMY OF EDUCATION.—The Secretary of Education shall contract with the National Academy of Education to conduct an evaluation of the demonstration projects under this part to determine the following:

"(1) STATE REPORTING REQUIREMENTS.—The accuracy of the information required under section 8212.

"(2) ACHIEVEMENT AND EFFICIENCY.—The effectiveness of raising educational achievement levels of disadvantaged students and improving the general efficiency of program operations at each school.

"(3) COORDINATED SERVICE AGREEMENTS.—The effectiveness of the coordinated service agreements at the State and local levels in the delivery of comprehensive services to disadvantaged children.

"(b) SUBMISSION DEADLINE.—Such evaluation shall be submitted to the Committee on Education and Labor of the House of Representatives, the Committee on Labor and Human Resources and the Committee on Agriculture, Nutrition, and Forestry of the Senate not later than January 1, 1999.

"SEC. 8214. DEFINITIONS.

"For purposes of this part:

"(1) The term 'chapter 1' means chapter 1 of title I of this Act.

"(2) The terms 'disadvantaged children' and 'disadvantaged students' mean children, ages 3 to 17 years, who are eligible for services under chapter 1 of title I of the Elementary and Secondary Education Act of 1965, the Head Start Act, the National School Lunch Act, the Follow Through Act, the Bilingual Education Act, the School Dropout Demonstration Act, or the Emergency Immigrant Education Act.

"(3) The term 'secondary school' means junior high schools, middle schools, and high schools.

"SEC. 8215. AUTHORIZATION OF APPROPRIATIONS.

"For the purposes of section 8213, there are authorized to be appropriated \$1,000,000 for fiscal year 1997, which shall remain available until expended.

"TITLE IX—NATIONAL BOARD ON WORKFORCE SKILLS**"SEC. 9001. PURPOSE.**

"The purpose of this title is—

"(1) to conduct research to identify and to determine the validity of generic workplace readiness skills which all students should have attained upon completion of high school in order to be effective participants in the workforce; and

"(2) to make recommendations regarding how the attainment of such generic workplace readiness skills can be incorporated into the development of national content standards and national school delivery standards.

"SEC. 9002. RESEARCH.

"(a) NATIONAL ACADEMY OF SCIENCES.—The Secretary of Education, through grant or contract with the National Academy of Sciences (referred to in this title as the Academy), shall—

"(1) in consultation with employers, workers, representatives of labor, educators, and others as appropriate, identify generic workplace readiness skills that all students should have upon completion of high school;

"(2) conduct research on such skills, including evaluating existing research and practices to determine the relationship between possession of the skills and competent job performance;

"(3) make recommendations for integrating generic workforce readiness skills into school-based learning; and

"(4) propose methods to update generic workforce skills as the requirements of the economy change.

"(b) NATIONAL BOARD.—The Academy shall establish a National Board on Workforce Skills composed of representatives from business and industry, organized labor (including organizations with national training programs), education, local government, and others with expertise regarding the identification and teaching of generic workplace readiness skills.

"SEC. 9003. RECOMMENDATIONS.

"The Academy shall work with the National Education Goals Panel and the groups and organizations authorized to develop national content standards and national schools delivery standards pursuant to sections 8011 and 8012, respectively, to include skills identified under this part and the National Education Goals Panel and such groups and organizations shall utilize the recommendations of the Academy.

"SEC. 9004. TIME AND CONDITIONS.

"The Secretary shall, not later than 90 days after the receipt of funds appropriated under section 9005, enter into an appropriate arrangement with the Academy to carry out the responsibilities outlined under this title.

"SEC. 9005. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$2,000,000 for fiscal year 1993 to carry out this title. Such appropriation shall be available until expended."

SEC. 102. EISENHOWER NATIONAL PROGRAMS.

Section 2012 of the Elementary and Secondary Education Act of 1965 is amended by adding at the end the following:

"(g) MODEL ASSESSMENTS FOR MATH STANDARDS.—The Secretary, with funds appropriated to carry out this section and in consultation with the Panel and Committee established under title VIII of this Act, is authorized to make grants to State educational agencies, local educational agencies, institutions of higher education, organizations with expertise in assessments, or a combination of such agencies or organizations, to support the development of model assessments tied to the math standards."

TITLE II—GENERAL EDUCATION PROVISIONS ACT AMENDMENTS**SEC. 201. FUNCTIONS OF NATIONAL ASSESSMENT.**

(a) IN GENERAL.—Section 406 of the General Education Provisions Act (20 U.S.C. 1221e-1) is amended—

(1) in paragraph (1) of subsection (f), by striking "and 1993" and inserting "1993, and 1994";

(2) in subparagraph (C) of subsection (i) (2)—

(A) by redesignating clauses (iii), (iv), and (v) as clauses (iv), (v), and (vi), respectively;

(B) by inserting after clause (ii) the following:

"(iii) The National Assessment shall—

"(I) conduct, in 1994, a trial mathematics assessment for the 4th and 8th grades and a trial reading assessment for the 4th grade, in States that wish to participate, for the purpose of determining whether such assessments yield valid and reliable State representative data;

"(II) develop a trial mathematics assessment for the 12th grade, a trial reading assessment for the 8th and 12th grades, and a trial science assessment for the 4th, 8th, and 12th grades, to be administered in 1994 in States that wish to participate, for the purpose of determining whether such assessments yield valid and reliable State representative data; and

"(III) include in each such sample assessment referred to in subclauses (I) and (II) students in public and private schools in a manner that ensures comparability with the national sample."; and

(C) in clause (vi) (as redesignated by subparagraph (A) of this paragraph)—

(i) in the first sentence, by striking "and the fairness and accuracy of the data they produce" and inserting "the fairness and accuracy of the data they produce, and important issues affecting the quality and integrity of the National Assessment"; and

(ii) by striking "paragraph (C)(i) and (ii)" and inserting "clauses (i), (ii), and (iii)".

(b) CONFORMING AMENDMENT.—Subparagraph (D) of section 405(f)(1) of the General Education Provisions Act (20 U.S.C. 1221e(f)(1)) is amended by striking "1993" and inserting "1994".

(c) ADDITIONAL REPORT.—

(I) IN GENERAL.—The Secretary shall provide for the organization that conducts the independent evaluation required by section 406(i)(2)(C)(vi) of the General Education Provisions Act to study and report to the Congress on—

(A) the process whereby achievement goals are set pursuant to section 406(i)(6) of such Act; and

(B) the ability of the National Assessment of Educational Progress to maintain valid data with respect to trends in student performance.

(2) TIME FOR SUBMISSION OF REPORT.—The report required by paragraph (1) shall be submitted as soon as practicable, but in any event not later than 120 days after the date of the enactment of this Act.

SEC. 202. RESPONSIBILITY OF STATES TO FURNISH INFORMATION CONCERNING USES OF FEDERAL FUNDS.

Section 406A of the General Education Provisions Act (20 U.S.C. 1232f) is amended to read as follows:

"RESPONSIBILITY OF STATES TO FURNISH INFORMATION

"SEC. 406A. (a) Each State educational agency shall submit to the Secretary a report on or before March 15 of every second year. Each such report shall include—

"(1) information with respect to the uses of Federal funds in such State in the 2 preceding fiscal years under any applicable program under the jurisdiction of the State educational agency; and

"(2) information with respect to the uses of Federal funds in such State in the 2 preceding fiscal years under any Federal program administered by the State that provided grants or contracts to a local educational agency in the State.

"(b) Each report submitted as required by subsection (a) shall—

"(1) list, with respect to each program for which information is provided, all grants made to and contracts entered into with local educational agencies and other public and private agencies and institutions within the State during each fiscal year concerned;

"(2) analyze the information included in the report by local educational agency and by program;

"(3) include the total amount of funds available to the State under each such program for each fiscal year concerned and specify which appropriation Act or Acts made such funds available;

"(4) separately account for any funds carried over from a preceding fiscal year by any State or local educational agency; and

"(5) be made readily available by the State to local educational agencies and institutions within the State and to the public.

"(c) If the Secretary does not receive a report by the date required under subsection (a), or receives an incomplete report, the Secretary, not later than 30 days after such report is required to be submitted, shall take all reasonable measures to obtain the delinquent or incomplete information from the State educational agency.

"(d) When the Secretary receives a report required under subsection (a), the Secretary

shall provide such information to the National Center for Education Statistics, and shall make such information available to any individual who requests it and as part of a telecommunications network that is readily accessible to every member of Congress and other interested parties.

"(e) On or before August 15th of each year in which reports are submitted under subsection (a), the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate. Such report shall include—

"(1) an analysis of the content and data quality of such reports;

"(2) a compilation of statistical data derived from such reports; and

"(3) information obtained by the Secretary with respect to—

"(A) direct grants made to local educational agencies by the Federal Government; and

"(B) contracts entered into between such agencies and the Federal Government."

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. SCHOOLWIDE PROJECTS.

(a) IN GENERAL.—Section 1015(b)(6) of Public Law 89-10, as amended (20 U.S.C. 2725(b)(6)), is amended—

(1) in subparagraph (A) by striking at the end "and"; and

(2) in subparagraph (B) by striking such subparagraph and inserting the following:

"(B) the average per pupil expenditure in schools described in subsection (a) (excluding amounts expended under a State compensatory education program) for the fiscal year in which the plan is to be carried out will not be less than such expenditure in the previous fiscal year in such schools, except that—

"(i) the cost of services for programs described in section 1018(d)(2)(A) shall be included for each fiscal year as appropriate only in proportion to the number of children in the building served in such programs in the year for which this determination is made; and

"(ii) if the average per pupil expenditure of the local educational agency is less than such expenditure in the previous fiscal year, the average per pupil expenditure of schools described in subsection (a) may be reduced by the local educational agency in the exact proportion to the average reduction of expenditures for all schools in such agency."

(b) EFFECTIVE DATE.—The amendment made by paragraph (2) shall be effective on or after July 1, 1992.

SEC. 302. REPORT AND AUTHORIZATION EXTENSIONS.

Section 102 of Public Law 102-62 is amended—

(1) in subsection (d) by striking "2" and inserting "3"; and

(2) in subsection (h)—

(A) by striking "1991" and all that follows through "and 1993"; and

(B) by inserting "1992 through 1995".

SEC. 303. PARENTS AS TEACHERS PROGRAMS.

Title IV of the Elementary and Secondary Education Act of 1965 is amended by inserting at the end the following new part:

"Part G—Parents as Teachers

"SEC. 4701. SHORT TITLE.

"This part may be cited as the 'Parents as Teachers: the Family Involvement in Education Act of 1992'.

"SEC. 4702. FINDINGS.

"The Congress finds—

"(1) increased parental involvement in the education of their children appears to be the key to long-term gains for youngsters;

"(2) providing seed money is an appropriate role for the Federal Government to play in education;

"(3) children participating in the parents as teachers program in Missouri are found to have increased cognitive or intellectual skills, language ability, social skills and other predictors of school success;

"(4) most early childhood programs begin at age 3 or 4 when remediation may already be necessary; and

"(5) many children receive no health screening between birth and the time they enter school, thus such children miss the opportunity of having developmental delays detected early.

"SEC. 4703. STATEMENT OF PURPOSE.

"It is the purpose of this part to encourage States to develop and expand parent and early childhood education programs in an effort to—

"(1) increase parents' knowledge of and confidence in child-rearing activities, such as teaching and nurturing their young children;

"(2) strengthen partnerships between parents and schools; and

"(3) enhance the developmental progress of participating children.

"SEC. 4704. DEFINITIONS.

"For the purposes of this part—

"(1) the term 'developmental screening' means the process of measuring the progress of children to determine if there are problems or potential problems or advanced abilities in the areas of understanding and use of language, perception through sight, perception through hearing, motor development and hand-eye coordination, health, and physical development;

"(2) the term 'eligible family' means any parent with one or more children between birth and 3 years of age, or any parent expecting a child;

"(3) the term 'lead agency' means the office or agency in a State designated by the Governor to administer the parents as teachers program authorized by this part;

"(4) the term 'parent education' includes parent support activities, the provision of resource materials on child development and parent-child learning activities, private and group educational guidance, individual and group learning experiences for the parent and child, and other activities that enable the parent to improve learning in the home;

"(5) the term 'parent educator' means a person hired by the lead agency of a State or designated by local entities who administers group meetings, home visits and developmental screening for eligible families, and is trained by the Parents As Teachers National Center established under section 4708; and

"(6) the term 'Secretary' means the Secretary of Education.

"SEC. 4705. PROGRAM ESTABLISHED.

"(a) IN GENERAL.—

"(1) The Secretary is authorized to make grants to States to pay the Federal share of the cost of establishing, expanding, and operating parents as teachers programs.

"(2) In awarding grants under paragraph (1), the Secretary shall give special consideration to applicants whose programs primarily serve hard-to-serve populations, including—

"(A) teenage parents,

"(B) illiterate parents,

"(C) economically disadvantaged parents,

"(D) offenders and their families,

"(E) unemployed parents,

"(F) learning disabled parents, and

"(G) non-English speaking parents.

"(3) In determining the amount of a grant under paragraph (1), the Secretary shall take into consideration the size of the population to be served, the size of the area to be served,

and the financial resources of such population and area.

"(b) SPECIAL RULE.—Any State operating a parents as teachers program which is associated with the Parents As Teachers National Center located in St. Louis, Missouri, shall be eligible to receive a grant under this part.

"SEC. 4706. PROGRAM REQUIREMENTS.

"(a) IN GENERAL.—(1) Each State receiving a grant under section 4705(a) shall conduct a parents as teachers program which—

"(A) establishes and operates parent education programs including programs of developmental screening of children; and

"(B) designates a lead State agency which shall—

"(i) hire parent educators who have had supervised experience in the care and education of children;

"(ii) establish the number of group meetings and home visits required to be provided each year for each participating family, with a minimum of 4 group meetings and 8 home visits for each participating family;

"(iii) be responsible for administering the periodic screening of participating children's educational, hearing and visual development, using the Denver Developmental Test, Zimmerman Preschool Language Scale, or other approved screening instruments; and

"(iv) develop recruitment and retention programs for hard-to-reach populations.

"(2) Grants awarded section 4705(a) shall only be used for parents as teachers programs which serve families during the period of time beginning with the last 3 months of a mother's pregnancy and ending when a child attains the age of 3.

"SEC. 4707. PARENTS AS TEACHERS NATIONAL CENTER.

"The Secretary shall establish a Parents As Teachers National Center to disseminate information to, and provide technical and training assistance to, States establishing and operating parents as teachers programs.

"SEC. 4708. EVALUATIONS.

"The Secretary shall complete an evaluation of the State parents as teachers programs within 4 years from the date of enactment of this part.

"SEC. 4709. APPLICATION.

"Each State desiring a grant under section 4705(a) shall submit an application to the Secretary at such time, in such manner and accompanied by such information as the Secretary may reasonably require. Each such application shall describe the activities and services for which assistance is sought.

"SEC. 4710. PAYMENTS AND FEDERAL SHARE.

"(a) PAYMENTS.—The Secretary shall pay to each State having an application approved under section 4709 the Federal share of the cost of the activities described in the application.

"(b) FEDERAL SHARE.—(1) The Federal share—

"(A) for the first year for which a State receives assistance under this part shall be 100 percent;

"(B) for the second such year shall be 100 percent;

"(C) for the third such year shall be 75 percent;

"(D) for the fourth such year shall be 50 percent; and

"(E) for the fifth such year 25 percent.

"(2) The non-Federal share of payments under this part may be in cash or in kind fairly evaluated, including planned equipment or services.

"SEC. 4711. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated \$20,000,000 for each of the fiscal years 1992, 1993, 1994, 1995, and 1996 to carry out this Act."

TITLE IV—VOCATIONAL EDUCATION ASSESSMENT

SEC. 401. ASSESSMENT OF EDUCATIONAL PROGRESS ACTIVITIES.

Section 421(h) of the Carl D. Perkins Vocational and Applied Technology Education Act is amended—

(1) by inserting after “(1)” and “(h)”; and
(2) by inserting at the end the following:
“(2)(A) Notwithstanding any provision of section 406 of the General Education Provisions Act, the Commissioner of Education Statistics may authorize a State educational agency or a consortium of such agencies to use items and data from the National Assessment of Educational Progress for the purpose of evaluating a course of study related to vocational education, if the Commissioner has determined, in writing, that such use will not—

“(i) result in the identification of characteristics or performance of individual students or schools;

“(ii) result in the ranking or comparing of schools or local educational agencies;

“(iii) be used to evaluate the performance of teachers, principals, or other local educators for the purpose of dispensing rewards or punishments; or

“(iv) corrupt or harm the use and value of data collected for the National Assessment of Educational Progress.

“(B) Not later than 60 days after making an authorization under subsection (a), the Commissioner shall submit to the chairperson of the Committee on Education and Labor of the House of Representatives and to the chairperson of the Committee on Labor and Human Resources of the Senate, a report which contains—

“(i) a copy of the request for such authorization;

“(ii) a copy of the written determination under subsection (a); and

“(iii) a description of the details and duration of such authorization.

“(C) The Commissioner may not grant more than one such authorization in any fiscal year and shall ensure that the authorized use of items or data from the National Assessment is evaluated for technical merit and for its affect on the National Assessment. The results of such evaluations shall be promptly reported to the committees specified in subparagraph (B).”.

SEC. 402. AMENDMENTS TO THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT.

Section 422 of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2422) is amended—

(1) in paragraph (2) of subsection (a), by inserting “, including postsecondary employment and training programs,” after “training programs”; and

(2) in subsection (b)—

(A) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(B) in the matter preceding paragraph (1) (as redesignated in subparagraph (A)), by inserting “the State board or agency governing higher education” after “coordinating council,”; and

(C) in paragraph (1) (as redesignated in subparagraph (A))—

(i) by striking “Act and of” and inserting “Act, of”; and

(ii) by inserting “and of the State board or agency governing higher education” after “Job Training Partnership Act”; and

(3) by redesignating subsection (d) as subsection (e); and

(4) by inserting after subsection (c) the following new subsection:

“(d) DATA COLLECTION SYSTEM.—In the development and design of a system to provide data on graduation or completion rates, job placement rates from occupationally specific

programs, and licensing rates, each State board for higher education shall develop a data collection system whose results can be integrated into the occupational information system developed under this section.”.

TITLE V—BUY AMERICAN

SEC. 501. SENSE OF THE CONGRESS.

It is the sense of the Congress that a recipient (including a nation, individual, group, or organization) or any form of student assistance or other Federal assistance under this Act should, in expanding that assistance, purchase American-made equipment and products.

SEC. 502. NOTICE.

The Secretary of Education shall provide to each recipient of student assistance or other Federal assistance under the Act a notice describing the sense of the Congress stated under section 501.

TITLE VI—CIVIC AND CHARACTER VALUES-IN-SCHOOLS

SEC. 601. SHORT TITLE.

This title may be cited as the “Civic and Character Values-In-Schools Act of 1992”.

SEC. 602. PURPOSE.

The purposes of this title are—

(1) to establish a commission to examine the issues associated with the teaching of values in elementary and secondary schools and to stimulate research in ethics and values;

(2) to recommend to the President and to Congress how the Federal Government, through executive action and legislation, can promote the teaching of values in American schools, including encouraging the offering of independent courses on values, and the integration of values into existing courses;

(3) to explore, assess, and stimulate a variety of approaches to teaching values;

(4) to identify civic and character values that are supported by a consensus of the people of the United States as essential to a complete education and preparation for becoming productive members of society and that may be appropriately endorsed and promoted by the Federal Government; and

(5) to identify the ways in which judgments of values and of right and wrong are implicated in matters of public and private concern.

SEC. 603. FINDINGS.

The Congress finds that—

(1) many Americans of all economic and social levels, religious persuasions, and ages, no longer make determinations of right and wrong as to their own actions or the actions of others in matters of both public and private concern;

(2) educational institutions, which have traditionally played a role in assisting students to make such determinations, no longer receive explicit authority or proper assistance necessary to fulfill this responsibility;

(3) the Nation has witnessed a national moral recession in governmental and political activities, scientific research, and business and commerce, in which individuals have failed to consider the ethics governing their behavior;

(4) statistics show alarming increases in individual and gang violence, drug and substance abuse, and suicide among both young people and adults;

(5) polls show that Americans overwhelmingly prize values such as honesty, but believe that people are less honest today than in the past;

(6) leaders representing a broad spectrum of political, social, and religious beliefs believe that education in moral issues contributes to good citizenship and have called for strengthening the teaching of democratic values;

(7) training in ethics is an ongoing concern in business and industry and in public service; and

(8) while education remains the responsibility of local and State governments, the Congress and the Federal Government may appropriately provide assistance to educational agencies and institutions attempting to promote civic and character values.

SEC. 604. ESTABLISHMENT.

There is established the Commission on Values Education (in this title referred to as the “Commission”).

SEC. 605. DUTIES; REPORT.

(a) DUTIES.—The Commission shall—

(1) consider the widest range of values for inclusion in the consensus of values that should be taught, including honesty, integrity, tolerance, self-discipline, self-respect, civility, importance of family, justice, equality, the rule of law, individual rights, the common good, love of country, love of knowledge, responsibility and accountability, protection of oneself and others from degradation and abuse;

(2) conduct interviews, meetings, hearings, and conferences in various regions and localities in the United States to gather the opinions of a wide variety of individuals, including educators and educational administrators, students, parents, philosophers and theologians, civic, religious, and professional leaders, business leaders, social service professionals, political leaders, persons prominent in the arts, entertainment, and sports, and concerned citizens;

(3) seek the cooperation, advice, and assistance of the Department of Education and such other Federal, State, and local agencies, and private and religious organizations, institutions, and associations, as may be helpful in carrying out its purposes and duties; and

(4) recognize individuals and institutions who have demonstrated outstanding success in teaching values; and

(5) identify the potential of values education for reducing the incidence of problems such as those described in section 603(4).

(b) REPORT.—The Commission shall report its findings and recommendations to the Congress and the President not later than 1 year after the enactment of this Act. Such reports shall include—

(1) its recommendations for specific legislation or executive actions and broad policy goals and objectives; and

(2) a recommendation as to the establishment within the Federal Government of a clearinghouse for programs and ideas relating to values education.

SEC. 606. MEMBERSHIP AND APPOINTMENT OF COMMISSION.

(a) MEMBERSHIP.—The Commission shall be composed of 17 members as follows:

(1) Seven members each appointed by the Speaker of the House of Representatives and the majority leader of the Senate, in consultation with the respective minority leaders, from among individuals who are broadly representative of, but not restricted to—

(A) professional educators, teachers, and educational administrators;

(B) parents of students at elementary and secondary levels;

(C) students at secondary levels;

(D) philosophers, theologians, and religious leaders;

(E) State and local elected and appointed government officials, including members of State and local boards of education;

(F) individuals prominent in sports, the arts, and entertainment;

(G) individuals active in business, the professions, or civic activities;

(H) social service professionals; and

(I) the general public.

(2) One member each of the House of Representatives and the Senate, designated by

the Speaker of the House and the majority leader of the Senate, respectively.

(3) The Secretary of Education or a designee of the Secretary.

(b) VACANCIES.—A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(c) TERMS.—Each member shall be appointed for the life of the Commission.

(d) CO-CHAIRS OF COMMISSION.—The Speaker of the House and the majority leader of the Senate shall each designate a co-chair of the Commission from members appointed under subsection (a)(1) or (a)(2).

SEC. 607. COMPENSATION.

(a) PAY.—Members of the Commission shall serve without compensation.

(b) TRAVEL EXPENSES.—Members of the Commission shall receive travel expenses, including per diem in lieu of subsistence, in accordance with sections 5702 and 5703 of title 5, United States Code.

SEC. 608. POWERS.

(a) MEETINGS.—The Commission shall first meet not more than 30 days after the date on which the last member is appointed to the Commission and thereafter upon the call of either co-chair or a majority of the members.

(b) HEARINGS AND SESSIONS.—The Commission may, for the purpose of carrying out this title, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Commission considers appropriate. The Commission may administer oaths or affirmations to witnesses appearing before it.

(c) ACCESS TO INFORMATION.—The Commission may secure directly from any Federal agency information necessary to enable it to carry out this title. Upon the request of co-chair of the Commission, the head of such agency shall furnish such information to the Commission.

(d) DIRECTOR.—The Commission shall have a Director, who shall be appointed by the co-chairs. The Director shall be paid at a rate not to exceed the maximum rate of basic pay payable for grade GS-15 of the General Schedule.

(e) STAFF.—The Director shall appoint such staff members as may be necessary to perform the work of the Commission. In allocating authorized, appropriated, and contributed funds, priority shall be given to those activities, such as hearings and conferences, designed to elicit the broadest public participation in the Commission's deliberations, rather than to the payment of professional staff.

(f) USE OF SERVICES AND FACILITIES.—Upon the request of the Commission, the head of any Federal agency may make available to the Commission any of the facilities and services of such agency.

(g) PERSONNEL FROM OTHER AGENCIES.—Upon the request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties.

SEC. 609. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title \$500,000 for the fiscal year 1992, and such sums as may be necessary for the fiscal year 1993. Amounts appropriated pursuant to this section shall remain available until expended.

SEC. 610. TERMINATION.

The Commission shall terminate 30 days after the date of the submission of its final report to the Congress.

TITLE VII—DEMONSTRATION PROGRAM

SEC. 702. AMENDMENT TO SECRETARY'S FUND FOR INNOVATION IN EDUCATION.

(a) PROGRAM AUTHORIZED.—Paragraph (2) of section 4601(a) of the Elementary and Sec-

ondary Education Act of 1965 (20 U.S.C. 3151(a)) is amended—

(1) by striking "and" at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting "; and"; and

(3) by adding at the end the following:
 "(E) help stimulate understanding of ethics, civic and character values, and the principles of democracy as a means of enhancing and improving elementary and secondary education in accordance with section 4609."

(b) ETHICS AND VALUES DEMONSTRATION PROGRAM.—Part F of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 3151 et seq.) is amended—

(1) by redesignating section 4608 the second place it appears as section 4610; and

(2) by inserting before section 4610 (as redesignated by paragraph (1) of this subsection) the following:

"SEC. 4609. ETHICS AND VALUES DEMONSTRATION PROGRAM.

"(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants to State educational agencies, local educational agencies, institutions of higher education, and other public and private agencies, organizations, and institutions to conduct activities designed to help stimulate understanding of ethics, civic and character values, and the principles of democracy as a means of enhancing and improving elementary and secondary education.

"(b) USES OF FUNDS.—Grants made under this section may be used for—

"(1) the development of teaching materials;

"(2) teacher training and seminars;

"(3) the establishment of clearinghouses for values education programs;

"(4) proposals seeking to involve the whole school environment;

"(5) research and follow-up studies of existing programs of values and ethics education;

"(6) civic and character values education projects demonstrating a beneficial effect on individual ethical behavior and on the incidence of individual and gang violence, drug and substance abuse, and suicide;

"(7) projects that assist in identifying a consensus of values within a community that may be appropriately promoted in schools of the community;

"(8) projects that seek to develop model programs to promote values and ethics; and

"(9) projects examining values and responsible citizenship.

"(c) APPLICATION.—Each applicant desiring to receive a grant under this section shall submit an application in such form, in such manner, and containing or accompanied by such information as the Secretary may reasonably require. Each such application shall—

"(1) identify values and ethics that receive widespread support from a consensus of individuals in the United States;

"(2) describe the school population intended to benefit from the proposed activities;

"(3) demonstrate how the proposal fulfills the purpose described in subsection (a);

"(4) describe the methods to be used to evaluate the results of the proposed activities; and

"(5) provide assurances that the applicant will appoint an advisory board to assist the applicant in conducting the proposed activities, which board shall consist of individuals representative of—

"(A) parents;

"(B) educators;

"(C) community leaders;

"(D) social service professionals;

"(E) business leaders; and

"(F) the general public."

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. GOODLING moved to recommit the bill to the Committee on Education and Labor.

The question being put, viva voce,
 Will the House recommit said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that the yeas had it.

So the motion to recommit was not agreed to.

The question being put, viva voce,
 Will the House pass said bill?

The SPEAKER pro tempore, Mr. McNULTY, announced that the yeas had it.

Mr. GOODLING demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 279
 affirmative Nays 124

101.12

[Roll No. 385]

AYES—279

Abercrombie	Downey	Klecza
Alexander	Duncan	Kolter
Anderson	Durbin	Kopetski
Andrews (ME)	Dwyer	Kostmayer
Andrews (NJ)	Early	LaFalce
Andrews (TX)	Eckart	Lancaster
Annunzio	Edwards (CA)	Lantos
Anthony	Edwards (TX)	LaRocco
Applegate	Engel	Laughlin
Aspin	English	Leach
Atkins	Erdreich	Lehman (CA)
AuCoin	Espy	Lehman (FL)
Bacchus	Evans	Levin (MI)
Beilenson	Fazio	Levine (CA)
Bennett	Feighan	Lewis (GA)
Bentley	Fish	Lipinski
Berman	Foglietta	Lloyd
Bevill	Ford (MI)	Long
Bilbray	Ford (TN)	Lowe (NY)
Bilirakis	Frank (MA)	Lukens
Blackwell	Frost	Machtley
Boehlert	Gallo	Manton
Bonior	Gejdenson	Martinez
Borski	Gephardt	Matsui
Boucher	Geren	Mavroules
Boxer	Gibbons	Mazzoli
Brewster	Gilchrist	McCloskey
Brooks	Gilman	McCurdy
Browder	Glickman	McDermott
Brown	Gonzalez	McHugh
Bruce	Gordon	McMillen (MD)
Bryant	Green	McNulty
Bustamante	Guarini	Meyers
Byron	Gunderson	Mfume
Campbell (CA)	Hall (OH)	Miller (CA)
Cardin	Hall (TX)	Mineta
Carper	Hamilton	Mink
Carr	Harris	Moakley
Chapman	Hayes (IL)	Mollohan
Clement	Hayes (LA)	Montgomery
Coleman (TX)	Hefner	Moody
Collins (IL)	Hertel	Moran
Collins (MI)	Hochbrueckner	Morella
Condit	Horn	Morrison
Conyers	Horton	Mrazek
Cooper	Hoyer	Murphy
Costello	Hubbard	Murtha
Cox (IL)	Huckaby	Nagle
Coyne	Hughes	Natcher
Cramer	Hutto	Neal (MA)
Darden	Jacobs	Neal (NC)
Davis	Jefferson	Nowak
de la Garza	Jenkins	Oakar
DeLauro	Johnson (SD)	Oberstar
Dellums	Johnston	Obey
Derrick	Jones (GA)	Olver
Dicks	Jones (NC)	Ortiz
Dingell	Jontz	Orton
Dixon	Kanjorski	Owens (NY)
Donnelly	Kaptur	Owens (UT)
Dooley	Kennelly	Pallone
Dorgan (ND)	Kildee	Panetta

Parker	Sabo	Swift
Pastor	Sanders	Synar
Patterson	Sangmeister	Tallon
Payne (NJ)	Sarpalius	Tauzin
Payne (VA)	Savage	Taylor (MS)
Pease	Sawyer	Thomas (GA)
Pelosi	Saxton	Thornton
Perkins	Scheuer	Torres
Peterson (FL)	Schiff	Torricelli
Peterson (MN)	Schroeder	Trafigant
Petri	Schumer	Unsoeld
Pickett	Serrano	Valentine
Pickle	Sharp	Vento
Poshard	Shaw	Visclosky
Price	Sikorski	Volkmer
Rahall	Sisisky	Walsh
Ramstad	Skaggs	Washington
Rangel	Skelton	Waters
Ravenel	Slattery	Waxman
Ray	Slaughter	Weiss
Reed	Smith (FL)	Weldon
Rinaldo	Smith (IA)	Wheat
Roe	Smith (NJ)	Whitten
Roemer	Snowe	Williams
Rogers	Solarz	Wilson
Ros-Lehtinen	Spratt	Wise
Rose	Stallings	Wolpe
Rostenkowski	Stark	Wyden
Rowland	Stokes	Yates
Roybal	Studds	Yatron
Russo	Swett	Young (FL)

NOES—124

Allard	Hammerschmidt	Oxley
Allen	Hancock	Packard
Archer	Hansen	Paxon
Armey	Hastert	Penny
Baker	Hefley	Porter
Ballenger	Henry	Pursell
Barrett	Herger	Quillen
Bateman	Hobson	Regula
Bereuter	Holloway	Rhodes
Bliley	Hopkins	Ridge
Boehner	Houghton	Riggs
Broomfield	Hunter	Ritter
Bunning	Inhofe	Roberts
Burton	James	Rohrabacher
Callahan	Johnson (CT)	Roth
Camp	Johnson (TX)	Roukema
Chandler	Kasich	Santorum
Clinger	Klug	Schaefer
Coble	Kolbe	Schulze
Coleman (MO)	Kyl	Sensenbrenner
Combest	Lagomarsino	Shays
Cox (CA)	Lent	Shuster
Crane	Lewis (CA)	Skeen
Dannemeyer	Lewis (FL)	Smith (OR)
DeLay	Lightfoot	Smith (TX)
Dickinson	Livingston	Spence
Doolittle	Lowery (CA)	Stearns
Dornan (CA)	Marlenee	Stenholm
Dreier	Martin	Stump
Edwards (OK)	McCandless	Sundquist
Emerson	McCrery	Taylor (NC)
Ewing	McDade	Thomas (CA)
Fawell	McEwen	Thomas (WY)
Fields	McGrath	Upton
Franks (CT)	McMillan (NC)	Vander Jagt
Gallegly	Michel	Vucanovich
Gekas	Miller (OH)	Wolf
Gillmor	Miller (WA)	Young (AK)
Goodling	Molinari	Zeliff
Goss	Moorhead	Zimmer
Gradison	Nichols	
Grandy	Nussle	

NOT VOTING—31

Ackerman	Gaydos	Richardson
Barnard	Gingrich	Solomon
Barton	Hatcher	Staggers
Campbell (CO)	Hoagland	Tanner
Clay	Hyde	Towns
Coughlin	Ireland	Traxler
Cunningham	Kennedy	Walker
DeFazio	Markey	Weber
Dymally	McCollum	Wylie
Fascell	Myers	
Flake	Olin	

So the bill was passed.

On motion of Mr. KILDEE, pursuant to House Resolution 551, the bill of the Senate (S. 2) to promote the achievement of National Education Goals, to measure progress toward such goals, to develop national education standards and voluntary assessments in accordance with such standards and to en-

courage the comprehensive improvement of America's neighborhood public schools to improve student achievement; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. KILDEE submitted the following amendment, which was agreed to:

Strike out all after the enacting clause and insert the provisions of H.R. 4323, as passed by the House.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to improve education for all students by restructuring the education system in the States."

A motion to reconsider the votes whereby said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

On motion of Mr. KILDEE, pursuant to House Resolution 551, it was,

Resolved, That the House insist upon its amendments to the foregoing bill and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

By unanimous consent, H.R. 4323, a similar House bill, was laid on the table.

¶101.13 CLERK TO CORRECT ENGROSSMENT

On motion of Mr. KILDEE, by unanimous consent,

Ordered, That in the engrossment of the foregoing amendments to the Senate bill, the Clerk be authorized to correct section numbers, punctuation, cross references, and to make other technical corrections.

¶101.14 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 2607. An Act to authorize activities under the Federal Railroad Safety Act of 1970 for fiscal years 1992 and 1993, and for other purposes.

The message also announced that pursuant to Public Law 102-325, the Chair, on behalf of the majority leader, appointed Mr. LAUTENBERG from the Committee on Appropriations and Mr. PELL from the Committee on Labor and Human Resources, as members of the National Commission on the Cost of Higher Education.

¶101.15 PROVIDING FOR THE CONSIDERATION OF H.R. 4706

Mr. DERRICK, by direction of the Committee on Rules, reported (Rept. No. 102-840) the resolution (H. Res. 555) providing for the consideration of the bill (H.R. 4706) to amend the Consumer Product Safety Act to extend the au-

thorization of appropriations under that Act, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶101.16 H.R. 2144—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. McNULTY, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 2144) to provide restoration of the Federal trust relationship with and assistance to the terminated tribes of California Indians and the individual members thereof; to extend Federal recognition to certain Indian tribes in California; to establish administrative procedures and guidelines to clarify the status of certain Indian tribes in California; to establish a Federal Commission on policies and programs affecting California Indians; and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to restore the Federal trust relationship of the United Auburn Indian Community, to establish the Advisory Council on California Indian Policy, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said joint resolution, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.17 H.J. RES. 454—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. McNULTY, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the joint resolution (H.J. Res. 454) to provide for the expeditious disclosure of records relevant to the assassination of President John F. Kennedy; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said joint resolution, as amended?

The SPEAKER pro tempore, Mr. McNULTY, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said joint resolution, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said joint resolution, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.18 APPOINTMENT OF CONFEREES—S. 2

The SPEAKER pro tempore, Mr. McNULTY, by unanimous consent, announced the appointment of the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendments of the House to the bill of the Senate (S. 2) to promote the achievement of National Education Goals, to measure progress toward such goals, to develop national education standards and voluntary assessments in accordance with such standards and to encourage the comprehensive improvement of America's neighborhood public schools to improve student achievement: Messrs. FORD of Michigan, MILLER of California, KILDEE, WILLIAMS, MARTINEZ, OWENS of New York, HAYES of Illinois, PERKINS, SAWYER, Mes. LOWEY, UNSOELD, Mr. WASHINGTON, Mrs. MINK, Messrs. JEFFERSON, REED, ROEMER, OLVER, PASTOR, GOODLING, PETRI, Mrs. ROUKEMA, Messrs. GUNDERSON, HENRY, Ms. MOLINARI, Messrs. BOEHNER, KLUG, ARMEY, and CUNNINGHAM.

By unanimous consent, the Speaker reserved the authority to make additional appointments of conferees.

Ordered. That the Clerk notify the Senate of the foregoing appointments.

¶101.19 AIRLINE RESERVATION SYSTEM COMPETITION

The SPEAKER pro tempore, Mr. McNULTY, pursuant to House Resolution 541 and rule XXIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 5466) to amend the Federal Aviation Act of 1958 to enhance competition among air carriers by prohibiting an air carrier who operates a computer reservation system from discriminating against other travel agents which subscribe to the system, and for other purposes.

The SPEAKER pro tempore, Mr. McNULTY, by unanimous consent, designated Mr. SKAGGS as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. MONTGOMERY, assumed the Chair.

When Mr. HALL of Ohio, Acting Chairman, pursuant to House Resolution 541, reported the bill back to the House with an amendment adopted by the Committee.

The previous question having been ordered by said resolution.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Airline Competition Enhancement Act of 1992".

SEC. 2. COMPUTER RESERVATION SYSTEMS.

(a) IN GENERAL.—Title IV of the Federal Aviation Act of 1958 (49 U.S.C. App. 1371-1389) is further amended by adding at the end the following new section:

"SEC. 420. COMPUTER RESERVATIONS SYSTEMS.

"(a) PROHIBITIONS AGAINST VENDOR DISCRIMINATION.—

"(1) IN GENERAL.—No vendor, in the operation of its computer reservation system, may unjustly discriminate among participants in such system. For purposes of this subsection, unjust discrimination shall include, but not be limited to, practices prohibited by this subsection. A prohibition of a practice for which an effective date is specified in paragraph (2) shall take effect on such date.

"(2) SPECIFIED PROHIBITED CRS OPERATIONAL PRACTICES.—No vendor, in the operation of its computer reservation system, may—

"(A)(i) make available to subscribers an integrated display in which information is ordered or emphasized based upon factors relating to air carrier identity; or

"(ii) supply information from its computer reservations system to any person creating or attempting to create such an integrated display if the vendor knows or has reason to know that such person intends to create or attempt to create such an integrated display; except that the prohibition contained in this clause shall not apply to the extent that the vendor is supplying the information to a subscriber creating, in accordance with the conditions of the exception contained in subsection (c)(1), an integrated display using information from the system;

"(B) make available, after September 30, 1994, to a subscriber any subscriber transaction capability which is more functional, timely, complete, accurate, reliable, secure, or efficient, is easier for the subscriber to use or access, or provides to the subscriber a different level of confirmation of transactions, with respect to one participant than with respect to any other participant; except to the extent that the vendor is offering the other participant the opportunity to participate in such capability at the same price and terms as other participants and the participant has not accepted such offer;

"(C) make available, after September 30, 1994, to a participant any participant transaction capability which is more functional, timely, complete, accurate, reliable, secure, or efficient with respect to one participant than with respect to any other participant; except to the extent that the vendor is offering the other participant the opportunity to participate in such capability at the same price and terms as other participants and the participant has not accepted such offer;

"(D) charge any separate participant fee for, or require compliance with any terms or conditions relating to, the provision of any computer reservation system feature, function, or service which the vendor offers as a separate option to the participant for the purpose of complying with the requirements of this subsection, unless such fee, terms, or conditions are reasonable; or

"(E) directly or indirectly prohibit a subscriber from obtaining or using any other computer reservation system.

"(3) PROHIBITION AGAINST INDUCING DISCRIMINATION.—No vendor or air carrier shall require, or provide any incentives to induce, any subscriber to use information from a computer reservation system to create an integrated display in which information is ordered or emphasized based upon factors relating to air carrier identity.

"(4) USE OF THIRD-PARTY HARDWARE, SOFTWARE, AND DATA BASES.—

"(A) IN GENERAL.—Except on grounds of demonstrated technological incompatibility, no vendor may prohibit or unreasonably restrict, directly or indirectly—

"(i) the interconnection to its computer reservation system equipment of computer hardware or software supplied by a person other than such vendor; or

"(ii) the use by a subscriber, to access directly any other computer reservation system or data base, of hardware and communications lines supplied by any other vendor.

"(B) SPECIFIED PROHIBITIONS.—The practices prohibited by subparagraph (A) include, but are not limited to, the following:

"(i) The imposition of fees in excess of reasonable levels to certify or interconnect third-party equipment or to use equipment supplied by any other vendor to access any other computer reservation system or data base.

"(ii) Undue delays or redundant or unnecessary testing before certifying or interconnecting such equipment or access.

"(iii) The imposition of requirements that subscribers use the vendor's computer reservation system for any minimum number or percentage of the subscriber's bookings.

"(iv) Refusals to provide any services, compensation, or other benefits normally provided subscribers on account of the subscriber's using third-party equipment or the subscriber's using the same equipment for access to both the vendor's computer reservations system and other computer reservation systems and data bases.

"(v) The termination of a subscriber contract because of the subscriber's use of third-party equipment or the use of the same equipment for access to the vendor's computer reservations system and any other computer reservation systems or data bases.

"(5) EXTENSION OF CONTRACT AS CONDITION TO PROVIDING ADDITIONAL SYSTEM COMPONENTS.—No vendor may require, as a condition for providing to a subscriber additional computer reservation system components (including software and enhancements), that the term of the subscriber contract for previously provided system components be extended.

"(6) USE OF SYSTEM IN SALE OF AIR TRANSPORTATION SERVICES.—No vendor may require use of its computer reservation system by the subscriber in any sale by the subscriber of air transportation services of the vendor.

"(7) USE OF SYSTEM AS CONDITION TO COMPENSATION FOR SALE OF SERVICES.—No vendor may require that a subscriber use or subscribe to its computer reservation system as a condition to the receipt of any compensation for the sale of air transportation services by the subscriber.

"(8) CONDITIONAL PRICES.—No vendor may charge prices to subscribers conditioned in whole or in part on the identity of air carriers whose air transportation services are sold by the subscriber.

"(b) SUBSCRIBER CONTRACT RESTRAINTS.—

"(1) TERM OF CONTRACT.—

"(A) GENERAL RULE.—Except as provided in subparagraph (B), no subscriber contract provision shall be enforceable in law or equity after the 180th day following the date of the enactment of this section to the extent that such provision provides for the term of the contract to be more than 3 years.

"(B) GRANDFATHER OF CERTAIN EXISTING CONTRACTS.—This paragraph shall not apply to a contract—

"(i) which is in effect on the date of the enactment of this section,

"(ii) which is for a term of not more than 5 years, and

"(iii) with respect to which all parties to the contract have agreed, in writing, after such date of enactment and before the 180th day following such date of enactment, that the contract will be enforceable, subject to other paragraphs of this subsection, until the last day of its term.

"(2) OTHER PROVISIONS.—No subscriber contract provision shall be enforceable in law or equity to the extent that such provision—

"(A) forms a basis for a claim of actual or liquidated damages by the vendor in the

event of cancellation of the contract, except as follows:

"(i) damages related to the vendor's actual cost of removing its equipment from the subscriber's premises;

"(ii) the unamortized share of the vendor's actual cost of installing such equipment in the subscriber's premises exclusive of any element of capital investment in such equipment; and

"(iii) other amounts owed to the vendor by the subscriber during the unexpired term of the contract, but in no event including amounts which are in the nature of a penalty for cancellation or which otherwise become due upon cancellation;

"(B) extends, or provides for the extension of, the contract beyond its stated date of termination, whether because of the addition or deletion of equipment or because of some other event;

"(C) provides an expiration date later than the earliest expiration date of any other contract for computer reservations services or equipment between the same subscriber and vendor;

"(D) directly or indirectly requires that the subscriber use the vendor's computer reservations system for a minimum volume of transactions, whether measured as an absolute number, a percentage of total transactions of any kind, or otherwise (including making failure to comply with such a requirement a breach or violation of the contract or a ground for termination of the contract); and

"(E) directly or indirectly requires the subscriber to use a minimum number or ratio of system components based upon or related to the number of system components leased from another vendor (including making failure to comply with such a requirement a breach or violation of the contract or a ground for termination of the contract).

"(c) PROHIBITION OF SUBSCRIBER MODIFICATION OF INFORMATION.—No subscriber may use computer software or hardware to modify information in a computer reservation system or derived from a computer reservation system in such a way as to produce—

"(1) integrated displays of such information in which information is ordered or emphasized based on factors relating to air carrier identity, except that the subscriber may use the software or hardware to create such displays of air transportation services—

"(A) if, before such use, the displays have been requested by a customer of the subscriber in writing;

"(B) if the request is kept on file by the subscriber until there has been a period of at least 2 years in which the customer has not purchased any services from the subscriber; and

"(C) if the software or hardware is used only with respect to such customer; or

"(2) displays of such information which provide subscriber transaction capability which violates subsection (a)(2)(B) or participant transaction capability which violates subsection (a)(2)(C).

"(d) REPORTING.—

"(1) QUARTERLY REPORTS.—Not later than the last day of the 1st calendar quarter following the date of the enactment of this section and of each calendar quarter following such 1st calendar quarter and ending on or before December 31, 1994, each vendor shall submit to the Secretary a report describing the manner in which the vendor proposes to achieve and is achieving compliance with subsections (a)(2)(A), (a)(2)(B), (a)(2)(C), and (a)(2)(D).

"(2) REPORT OF SECRETARY.—On or before July 31, 1993, the Secretary shall transmit to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report,

based on the reports filed by vendors pursuant to paragraph (1) of this subsection—

"(A) which describes the progress which each vendor has made in achieving compliance with subsections (a)(2)(A), (a)(2)(B), (a)(2)(C), and (a)(2)(D);

"(B) which compares and contrasts the participant transaction capabilities and subscriber transaction capabilities, including the protocols of each vendor with each participant; and

"(C) which includes a tentative finding by the Secretary as to whether each vendor is making satisfactory progress toward, and is likely to achieve, compliance with each of such subsections in accordance with any time limit contained in such subsection.

The Secretary shall provide each vendor a copy of the report transmitted under this paragraph within 30 days after the date of such transmittal.

"(3) SUPPLEMENTAL VENDOR REPORT.—If the report transmitted under paragraph (2) includes a finding of the Secretary that a vendor is not making satisfactory progress toward, or is not likely to achieve, compliance with subsection (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) in accordance with any time limit contained in such subsection, the Secretary shall require the vendor to submit to the Secretary a supplemental report describing the manner in which the vendor proposes to achieve compliance with such subsection.

"(4) MAINTENANCE OF RECORDS.—Not later than 90 days after the date of the enactment of this section, the Secretary shall issue regulations requiring each vendor to maintain such information concerning its computer reservation system as the Secretary determines is necessary to enable the Secretary to determine whether or not the vendor is making progress toward achieving compliance, or is in compliance, with this section. Such regulations shall establish the form and substance of the information to be maintained.

"(e) MONITORING OF PARTICIPANT FEES.—Not later than March 31, 1993, and each March 31 thereafter, the Secretary shall transmit, to the Committee on Public Works and Transportation of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, a report on the participant fees charged by vendors during the preceding calendar year, including whether such fees represent an increase or decrease over the fees charged previously and whether, in the opinion of the Secretary, such fees are reasonable.

"(f) SPECIAL RULES FOR CERTAIN VIOLATIONS.—

"(1) APPLICABILITY.—The procedures and time limits set forth in this subsection shall apply to any complaint filed with the Secretary alleging a violation of this section (including any regulation issued to carry out this section or otherwise relating to computer reservation systems).

"(2) DEADLINE FOR DECISION WITH RESPECT TO A COMPLAINT.—Not later than the 90th day following the date of the filing of a complaint to which this subsection applies, the Secretary shall issue—

"(A) on the basis of the information filed with respect to the complaint and any other information available to the Secretary, an order which determines that there is not a material issue of fact with respect to the complaint and—

"(i) which finds that the violation has not occurred and dismisses the complaint; or

"(ii) which finds, after compliance with the procedures of section 1002(c) of this Act, that the violation has occurred and sets out the remedies and penalties that the Secretary determines are appropriate for the violation and the information forming the basis for such finding;

"(B) a consent order which sets out the remedies and penalties which the Secretary determines are appropriate and to which the alleged violator has agreed; or

"(C) for a determination of whether or not the violation has occurred and appropriate remedies and penalties for the violation if the violation has occurred, an order instituting a proceeding which includes an oral hearing on the record before an administrative law judge in accordance with section 554 of title 5, United States Code.

"(3) PARTIES TO AN ALJ PROCEEDING.—If the Secretary issues an order instituting a proceeding before an administrative law judge under this subsection, both the Department of Transportation and the person filing the complaint shall be parties to the proceeding if they so elect, and the administrative law judge may designate additional parties to the proceeding.

"(4) POWER OF ALJ TO COMPEL PRODUCTION OF DOCUMENTS.—An administrative law judge to whom a complaint under this subsection is assigned may compel the production of documents and other information necessary to determine whether the violation has or has not occurred.

"(5) DEADLINE FOR ALJ DECISION.—Not later than the 270th day following the date on which the Secretary issues an order instituting a proceeding before an administrative law judge under this subsection, the judge shall issue an order—

"(A) which finds that no violation has occurred and dismisses the complaint; or

"(B) which finds that a violation has occurred and sets out the remedies and penalties that the administrative law judge determines are appropriate for such violation.

"(6) DEADLINE FOR FINAL ORDER.—Not later than the 90th day following the date of issuance of an order by an administrative law judge under this subsection, the Secretary shall issue a final order with respect to the complaint. If the Secretary does not issue the final order by the last day of such 90-day period, the order of the administrative law judge shall be deemed to be a final order of the Secretary.

"(g) TREATMENT OF CERTAIN REDUCED CRS SERVICES.—If any computer reservation system service being provided to a participant in such system for a participant fee is reduced without a corresponding reduction in the participant fee, the participant fee shall be treated, for purposes of this section, as being increased by the vendor.

"(h) REGULATIONS.—

"(1) GENERAL AUTHORITY.—The Secretary may issue regulations to carry out the objectives of this section and such other regulations relating to computer reservation systems as the Secretary determines appropriate. Such regulations shall not be inconsistent with the provisions of this section.

"(2) ENFORCEABILITY.—The enforceability of this section shall not be affected by any delay or failure of the Secretary to issue regulations to carry out the objectives of this section.

"(i) DEFINITIONS.—For purposes of this section, the following definitions apply:

"(1) COMPUTER RESERVATIONS SYSTEM.—The term 'computer reservations system' means—

"(A) a computer system which is offered to subscribers for use in the United States and contains information on the schedules, fares, rules, or seat availability of 2 or more separately identified air carriers and provides subscribers with the ability to make reservations and to issue tickets; and

"(B) a computer system which was subject to the provisions of part 255 of title 14 of the Code of Federal Regulations (relating to computer reservation systems) on June 1, 1991.

"(2) **COMPUTER SYSTEM.**—The term 'computer system' means a unit of one or more computers, and associated software, peripherals, terminals, and means of information transfer, capable of performing information processing and transfer functions.

"(3) **INTERNAL RESERVATION SYSTEM.**—The term 'internal reservation system' means a computer system which contains information on airline schedules, fares, rules, or seat availability and is used by an air carrier to respond to inquiries made directly to the carrier by members of the public concerning such information and to make reservations arising from such inquiries.

"(4) **INTEGRATED DISPLAY.**—The term 'integrated display' means a computerized display of information which relates to air carrier schedules, fares, rules, or availability and is designed to include information pertaining to more than 1 separately identified air carrier. Such term excludes the display of data from the internal reservations system of an individual air carrier when provided in response to a request by a ticket agent relating to a specific transaction.

"(5) **PARTICIPANT.**—The term 'participant', as used with respect to a computer reservations system, means an air carrier which has its flight schedules, fares, or seat availability displayed through such system.

"(6) **PARTICIPANT FEE.**—The term 'participant fee' means any fee, charge, penalty, or thing of value contractually required to be furnished to a vendor by a participant for display of the flight schedules, fares, or seat availability of the participant through the computer reservation system of the vendor or for other computer reservation system services provided to the participant.

"(7) **PARTICIPANT TRANSACTION CAPABILITY.**—The term 'participant transaction capability' means a service, product, function, or facility with respect to any computer reservation system which is provided by a vendor to any participant and which is capable of benefiting the air transportation business of such participant, including the quality, reliability, and security of communications provided by the vendor linking such vendor's computer reservation system to the computer system or data bases of any participant, the loading into the system of information on schedules, fares, rules, or seat availability, the booking or assignment of seats, the issuance of tickets or boarding passes, the retrieval of data from the system, or a means of determining the timeliness with which a participant will receive payment for air transportation sold through the system.

"(8) **PROTOCOL.**—The term 'protocol' means a set of rules or formats which govern the information transfer between and among computer reservation systems, participants, and subscribers.

"(9) **SUBSCRIBER.**—The term 'subscriber' means a ticket agent which uses a computer reservation system in the sale and issuance of tickets for air transportation.

"(10) **SUBSCRIBER CONTRACT.**—The term 'subscriber contract' means an agreement, and any amendment thereto, between a ticket agent and a vendor for the furnishing of computer reservations services to such subscriber.

"(11) **SUBSCRIBER TRANSACTION CAPABILITY.**—The term 'subscriber transaction capability' means any capability offered through a computer reservation system to a subscriber with respect to air transportation, including the capability of a ticket agent through a computer reservations system to view information on airline schedules, fares, rules, and seat availability or to book space, assign seats, or issue tickets or boarding passes for air transportation to be provided by air carriers.

"(12) **VENDOR.**—The term 'vendor' means any person who owns, controls, or operates a computer reservations system."

(b) **CONFORMING AMENDMENT TO TABLE OF CONTENTS.**—The table of contents contained in the first section of the Federal Aviation Act of 1958 is amended by adding at the end of the matter relating to title IV of such Act the following:

"Sec. 420. Computer reservations systems.

"(a) Prohibitions against vendor discrimination.

"(b) Subscriber contract restraints.

"(c) Prohibition of subscriber modification of information.

"(d) Reporting.

"(e) Monitoring of participant fees.

"(f) Special rules for certain nonfee violations.

"(g) Treatment of certain reduced CRS services.

"(h) Definitions."

SEC. 3. PROTECTION OF SMALL COMMUNITY AIRLINE PASSENGERS.

(a) **ACCESS TO HIGH DENSITY AIRPORTS.**—Section 419(b) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1389(b)) is amended by adding at the end the following new paragraph:

"(10) **ACCESS TO HIGH DENSITY AIRPORTS.**—

"(A) **NONCONSIDERATION OF SLOT AVAILABILITY.**—In determining what is basic essential air service and in selecting an air carrier to provide such service, the Secretary shall not give consideration to whether slots at a high density airport are available for providing such service.

"(B) **MAKING SLOTS AVAILABLE.**—If basic essential air service is to be provided to and from a high density airport, the Secretary shall ensure that a sufficient number of slots at such airport are available to the air carrier providing or selected to provide such service. If necessary to carry out the objectives of this subsection, the Secretary shall take such action as may be necessary to have such slots transferred or otherwise made available to the air carrier; except that the Secretary shall not be required to make slots available at O'Hare International Airport in Chicago, Illinois, if the number of slots available for basic essential air service to and from such airport is at least 132 slots."

(b) **TRANSFERS OF SLOTS AT HIGH DENSITY AIRPORTS.**—Section 419(b)(7) of such Act (49 U.S.C. App. 1389(b)(7)) is amended—

(1) by striking "TRANSFER OF OPERATIONAL AUTHORITY AT CERTAIN" and inserting "TRANSFERS OF SLOTS AT";

(2) by striking "an airport at which the Administrator limits the number of instrument flight rule takeoffs and landings of aircraft" and inserting "a high density airport";

(3) by striking "operational authority" and inserting "slots";

(4) by striking "has to conduct a landing or takeoff" and inserting "have"; and

(5) by striking "such authority" the first place it appears and inserting "such slots";

(6) by striking "such authority is" and inserting "such slots are"; and

(7) by inserting "basic essential" after "used to provide".

(c) **DEFINITIONS.**—Section 419(k) of such Act (49 U.S.C. App. 1389(k)) is amended by adding at the end the following new paragraphs:

"(6) **HIGH DENSITY AIRPORT.**—The term 'high density airport' means an airport at which the Administrator limits the number of instrument flight rule takeoffs and landings of aircraft.

"(7) **SLOT.**—The term 'slot' means a reservation for an instrument flight rule takeoff or landing by an air carrier of an aircraft in air transportation."

SEC. 4. LIMITATION ON STATUTORY CONSTRUCTION WITH RESPECT TO EMPLOYMENT INVESTIGATIONS.

(a) **IN GENERAL.**—Section 316 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1357) is amended—

(1) by redesignating the second subsection (g), relating to air carrier and airport security personnel, and subsections (h), (i), (j), and (k) as subsections (h), (i), (j), (k), and (l), respectively; and

(2) in subsection (h)(1), as so redesignated, by adding at the end thereof the following new subparagraph:

"(D) **LIMITATION ON STATUTORY CONSTRUCTION.**—Nothing in the section shall require the Administrator to issue regulations requiring that employment investigations under this section include criminal history record checks if the Administrator determines that such record checks are not necessary to ensure air transportation security."

(b) **CONFORMING AMENDMENTS TO TABLE OF CONTENTS.**—The portion of the table of contents contained in the first section of such Act under the side heading

"Sec. 316. Air transportation security." is amended—

(1) by redesignating items (g), (h), (i), (j), and (k) as items (h), (i), (j), (k), and (l), respectively; and

(2) by inserting after the item relating to subsection (f) the following:

"(g) Airport tenants security programs."

SEC. 5. RULEMAKING ON RANDOM TESTING FOR PROHIBITED DRUGS.

Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall initiate a rulemaking proceeding to consider whether there should be a reduction in the annualized rate of random testing for prohibited drugs now required by the Secretary for personnel engaged in aviation activities. A final decision in such rulemaking proceeding shall be issued not later than 1 year after such date of enactment.

SEC. 6. CLARIFICATION OF PFC APPLICABILITY.

Section 1113(e)(1) of the Federal Aviation Act of 1958 (49 U.S.C. App. 1513(e)(1)) is amended by adding at the end thereof the following new sentence: "This subsection does not authorize the Secretary to grant a public agency authority to impose a fee for a passenger enplaning at an airport if the passenger did not pay for the air transportation which resulted in such enplanement, including any case in which the passenger obtained the ticket for the air transportation with a frequent flier award coupon without monetary payment."

SEC. 7. CANCELLATIONS AND ON-TIME PERFORMANCE BY COMMUTER AIR CARRIERS.

(a) **AMENDMENT OF REGULATIONS.**—Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall amend part 234 of title 14 of the Code of Federal Regulations to require commuter air carriers to comply with the provisions governing on-time performance in such part.

(b) **REPORTS.**—Not later than the 30th day following the last day of each calendar month beginning after the 120th day following the date of the enactment of this Act, the Secretary of Transportation shall publish a report containing the percentage of flights of each commuter air carrier which were canceled during such calendar month.

(c) **DEFINITION.**—In this section, the term "commuter air carrier" means an air carrier (as defined by section 101 of the Federal Aviation Act of 1958) that provides air service in accordance with a published schedule and that primarily operates aircraft designed

to have a maximum passenger seating capacity of 60 seats or less.

SEC. 8. DECLARATION OF POLICY.

(a) STRENGTHENING OF COMPETITION.—Section 102 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1302) is amended by adding at the end the following new subsection:

“(c) STRENGTHENING OF COMPETITION.—In selecting an air carrier to provide foreign air transportation from among competing applicants to provide such transportation, the Secretary shall consider the strengthening of competition among air carriers operating in the United States in order to prevent undue concentration in the air carrier industry, in addition to considering the factors specified in subsections (a) and (b) of this section.”.

(b) CONFORMING AMENDMENT.—The portion of the table of contents contained in the first section of such Act relating to section 102 is amended by adding at the end the following new item:

“(c) Strengthening of competition.”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. MONTGOMERY, announced that the yeas had it.

Mr. OBERSTAR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 230
affirmative { Nays 160

¶101.20 [Roll No. 386] YEAS—230

Abercrombie	Donnelly	Johnson (CT)
Alexander	Dooley	Johnson (SD)
Anderson	Dorgan (ND)	Jones (GA)
Andrews (ME)	Downey	Jones (NC)
Andrews (TX)	Early	Jontz
Applegate	Eckart	Kanjorski
Archer	Edwards (CA)	Kaptur
Aspin	Emerson	Kasich
Atkins	Engel	Kennedy
Bacchus	Espy	Kildee
Bateman	Evans	Kleczka
Beilenson	Ewing	Kolter
Bennett	Fazio	Kopetski
Bentley	Feighan	Kostmayer
Bereuter	Fields	Kyl
Berman	Foglietta	LaFalce
Blackwell	Ford (MI)	Lantos
Boehlert	Ford (TN)	Laughlin
Bonior	Frank (MA)	Levin (MI)
Borski	Gejdenson	Levine (CA)
Boucher	Gekas	Lewis (GA)
Brooks	Gephardt	Lloyd
Brown	Gibbons	Long
Bruce	Gilchrest	Lowey (NY)
Bunning	Gillmor	Luken
Camp	Gilman	Machtley
Cardin	Glickman	Manton
Carper	Goodling	Martin
Carr	Guarini	Martinez
Chandler	Gunderson	Matsui
Clinger	Hall (OH)	Mazzoli
Coleman (MO)	Hamilton	McCloskey
Collins (MI)	Hammerschmidt	McDade
Conyers	Hansen	McEwen
Coughlin	Henry	McGrath
Coyne	Hertel	McHugh
Cramer	Hobson	McMillen (MD)
Darden	Horn	Meyers
de la Garza	Horton	Mfume
DeLauro	Hoyer	Mineta
DeLay	Hubbard	Mink
Dellums	Huckaby	Moakley
Derrick	Hughes	Molinari
Dickinson	Hunter	Mollohan
Dicks	Hutto	Moody
Dingell	Jacobs	Moran
Dixon	Jefferson	Morella

Mrazek	Ray	Slaughter
Murphy	Reed	Smith (NJ)
Nagle	Rhodes	Smith (TX)
Neal (MA)	Ridge	Snowe
Nichols	Riggs	Solarz
Nowak	Rinaldo	Spratt
Nussle	Ritter	Stark
Oakar	Roberts	Stokes
Oberstar	Roe	Studds
Obey	Roemer	Swift
Olver	Roukema	Tallon
Ortiz	Rowland	Taylor (NC)
Orton	Russo	Thomas (GA)
Owens (NY)	Sabo	Trafigant
Owens (UT)	Sanders	Upton
Pallone	Santorum	Vander Jagt
Pastor	Savage	Volkmer
Payne (NJ)	Sawyer	Vucanovich
Pease	Scheuer	Waters
Pelosi	Schulze	Waxman
Penny	Schumer	Weiss
Perkins	Serrano	Weldon
Peterson (FL)	Sharp	Wheat
Peterson (MN)	Shaw	Whitten
Petri	Shays	Williams
Pickett	Shuster	Wise
Pursell	Sikorski	Wolpe
Rahall	Skaggs	Wyden
Ramstad	Skelton	Young (FL)
Rangel	Slattery	

NAYS—160

Allard	Goss	Panetta
Allen	Gradison	Parker
Andrews (NJ)	Grandy	Patterson
Annuzio	Green	Paxon
Anthony	Hall (TX)	Payne (VA)
Army	Hancock	Pickle
Baker	Harris	Porter
Ballenger	Hastert	Poshard
Barrett	Hayes (IL)	Price
Bevill	Hayes (LA)	Quillen
Bilbray	Hefley	Ravenel
Bilirakis	Hefner	Regula
Bliley	Herger	Rogers
Boehner	Hochbrueckner	Rohrabacher
Brewster	Holloway	Ros-Lehtinen
Broomfield	Hopkins	Rose
Browder	Inhofe	Rostenkowski
Bryant	James	Roth
Burton	Johnson (TX)	Sangmeister
Bustamante	Johnston	Sarpalius
Byron	Kennelly	Saxton
Callahan	Klug	Schaefer
Campbell (CA)	Kolbe	Schiff
Clement	Lagomarsino	Schroeder
Coble	Lancaster	Sensenbrenner
Coleman (TX)	LaRocco	Sisisky
Collins (IL)	Leach	Skeen
Combest	Lehman (FL)	Smith (FL)
Condit	Lent	Smith (OR)
Cooper	Lewis (CA)	Spence
Costello	Lewis (FL)	Stallings
Cox (CA)	Lightfoot	Stearns
Cox (IL)	Lipinski	Stump
Crane	Livingston	Sundquist
Dannemeyer	Lowery (CA)	Swett
Davis	Marlenee	Synar
Doolittle	Mavroules	Tauzin
Dornan (CA)	McCandless	Taylor (MS)
Dreier	McCrery	Thomas (CA)
Duncan	McCurdy	Thomas (WY)
Durbin	McDermott	Thornton
Edwards (OK)	McMillan (NC)	Torres
Edwards (TX)	McNulty	Unsoeld
English	Michel	Valentine
Erdreich	Miller (OH)	Visclosky
Fascell	Miller (WA)	Walsh
Fawell	Montgomery	Washington
Fish	Moorhead	Wolf
Franks (CT)	Morrison	Wylie
Frost	Myers	Young (AK)
Galleghy	Natcher	Zeliff
Geren	Neal (NC)	Zimmer
Gonzalez	Oxley	
Gordon	Packard	

NOT VOTING—44

Ackerman	Flake	McCollum
AuCoin	Gallo	Miller (CA)
Barnard	Gaydos	Murtha
Barton	Gingrich	Olin
Boxer	Hatcher	Richardson
Campbell (CO)	Hoagland	Roybal
Chapman	Houghton	Smith (IA)
Clay	Hyde	Solomon
Cunningham	Ireland	Staggers
DeFazio	Jenkins	Stenholm
Dwyer	Lehman (CA)	Tanner
Dymally	Markey	Torricelli

Towns	Walker	Yates
Traxler	Weber	Yatron
Vento	Wilson	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶101.21 ENERGY EFFICIENCY

On motion of Mr. SHARP, by unanimous consent, the bill (H.R. 776) to provide for improved energy efficiency; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. SHARP, it was,

Resolved, That the House disagree to the amendment of the Senate and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶101.22 MOTION TO INSTRUCT CONFEREES—H.R. 776

Mr. LENT moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on H.R. 776 be instructed to balance both energy conservation and energy efficiency with energy supply, achieve this goal in a manner consistent with environmental protection, and use market mechanisms and incentives rather than command-and-control regulations and government subsidies, within the scope of the conference.

After debate,

On motion of Mr. LENT, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER announced that the yeas had it.

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶101.23 APPOINTMENT OF CONFEREES— H.R. 776

Thereupon, the SPEAKER announced the appointment of the following Members as managers on the part of the House at said conference:

From the Committee on Energy and Commerce, for consideration of the House bill (except title XIX), and the Senate amendment (except title XX), and modifications committed to conference: Messrs. DINGELL, SHARP, MARKEY, TAUZIN, TOWNS, SWIFT, SYNARLENT, MOORHEAD, AND DANNE-MEYER; PROVIDED, THAT MR. BLILEY is appointed only for consideration of titles I, VII, XII, XVII, and XXXI of the House bill, and titles V, VI and XV of the Senate amendment;

Mr. FIELDS is appointed only for consideration of titles III, IV, V, XIV,

XVIII, and XX of the House bill, and titles IV and XVI of the Senate amendment;

Mr. OXLEY is appointed only for consideration of titles II, VI, VIII, IX, X, XI, XIII, XV, XVI, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX, and XXX of the House bill, and titles I, II, VIII, IX, X, XI, XII, XIII, XIV, XVII, XVIII, XIX, and XXI of the Senate amendment; and in lieu of Mr. LENT for title VII of the House bill and title XV of the Senate Amendment;

From the Committee on Ways and Means, for consideration of title XIX of the House bill, and section 19108 and title XX of the Senate amendment, and modifications committed to conference: Messrs. ROSTENKOWSKI, GIBBONS, PICKLE, RANGEL, STARK, ARCHER, VANDER JAGT, and CRANE;

As additional conferees from the Committee on Ways and Means, for that portion of section 1101 of the House bill which adds new section 1701 and 1702 to the Atomic Energy Act of 1974, and that portion of section 10103 of the Senate amendment which adds new sections 1701 and 1702 to the Atomic Energy Act of 1954, and modifications committed to conference: Messrs. ROSTENKOWSKI, GIBBONS, PICKLE, RANGEL, STARK, JACOBS, FORD of Tennessee, ARCHER, VANDER JAGT, CRANE, and Schulze;

As additional conferees from the Committee on Education and Labor, for consideration of section 20141, 20142, 20143 (except those portions which add new sections 9702(a)(4), 9704, 9705(a)(4), 9706, 9712(d)(5) to the Internal Revenue Code of 1986) of the Senate amendment, and modifications committed to conference: Messrs. FORD of Michigan, CLAY, MILLER, of California, KILDEE, and WILLIAMS, Mrs. ROUKEMA, Mr. FAWELL, and Mr. BALLENGER;

As additional conferees from the Committee on Education and Labor, for consideration of those portions of section 901 which add new sections 1305 and 1312 to the Atomic Energy Act of 1954, that portion of section 1101 which adds a new section 1704 to the Atomic Energy Act of 1954, and sections 4402, 6601-04, 10104, 13119, and 19113 of the Senate amendment, and modifications committed to conference: Messrs. FORD of Michigan, WILLIAMS, and GOODLING;

As additional conferees from the Committee on Foreign Affairs, for consideration of sections 1205, 1208, 1213-14, 1302-05, 1606, and 2481 of the House bill, and sections 5101-04, that portion of section 5201 which adds a new section 6 to the Renewable Energy and Energy Efficiency Technology Competitiveness Act of 1989, 14108-09, and 14301-02, of the Senate amendment, and modifications committed to conference: Messrs. FASCELL, GEJDENSON, WOLPE, LEVINE of California, FEIGHAN, JOHNSTON of Florida, ENGLE, BROOMFIELD, ROTH, MILLER of Washington, and HOUGHTON;

As additional conferees from the Committee on Foreign Affairs, for consideration of section 903, 1205, 1208, 1211, 1213-14, 1302-05, 1607, 2481, and 2704, of

the House bill, and sections 1201, 6701-02, 10223(b), 13102, 17101-02, 19101, and 19109 of the Senate amendment, and modifications committed to conference: Messrs. FASCELL, GEJDENSON, and BROOMFIELD;

As additional conferees from the Committees on Government Operations, for consideration of sections 121 (e) and (f), 122, 127 and 128 of the House bill, and sections 6207, 6216, 6218, and 62201 of the Senate amendment, and modifications committed to conference: Messrs. CONYERS, BUSTAMANTE, and CLINGER;

As additional conferees from the Committee on Government Operations, for consideration of sections 302 and 304-06 of the House bill, and sections 4102, 4105-06, 4112-13, 4116, and 4119 of the Senate amendment, and modifications committed to conference: Messrs. CONYERS, WISE, and MCCANDLESS;

As additional conferees from the Committee on Interior and Insular Affairs, for consideration of sections 133, 1314, 1403, 1607, 3002, 3004, 3009, 3101, 3102, and 3104 and titles VIII-XI and XXIV-XXIX of the House bill, and sections 5302-04, 5308, 6303, 6501, 6506, 13115, 13118, 13120-21, 14114, 19104, and 19110, 19112 and titles VIII, IX, X, XII, and XVIII of the Senate amendment, and modifications committed to conference: Messrs. MILLER of California, RAHALL, VENTO, KOSTMAYER, DE LUGO, GEJDENSON, DEFAZIO, YOUNG of Alaska, and MARLENEE, Mrs. VUCANOVICH, and Mr. RHODES; Provided, Mr. MURPHY is appointed in lieu of Mr. DEFAZIO for consideration of title XXV of the House bill and section 14114 of the Senate amendment only;

Mr. ABERCROMBIE is appointed in lieu of Mr. DEFAZIO for consideration of section 2481 of the House bill only;

As additional conferees from the Committee on Interior and Insular Affairs, for consideration of that portion of section 723(h) which adds a new section 212(h) to the Federal Power Act, 1312-13, 1403, 1607, 2012, 2113, 2307, and 3008 of the House bill, and sections 6501, 6506, 19104, 19110, and 20143(b) and titles VIII and XXI of the Senate amendment, and modifications committed to conference: Messrs. MILLER of California, RAHALL, and YOUNG of Alaska;

As additional conferees from the Committee on the Judiciary, for consideration of section 3010 of the House bill, and section 19102 of the Senate amendment, and modifications committed to conference: Messrs. BROOKS, EDWARDS of California, GLICKMAN, FEIGHAN, STAGGERS, BERMAN, WASHINGTON, FISH, HYDE, CAMPBELL of California, and SMITH of Texas;

As additional conferees from the Committee on the Judiciary, for consideration of sections 11107 of the Senate amendment, and modifications committed to conference: Messrs. BROOKS, EDWARDS of California, and FISH;

As additional conferees from the Committee on the Judiciary, for consideration of section 19106 of the Senate amendment, and modifications

committed to conference: Messrs. BROOKS, FRANK of Massachusetts, and GEKAS;

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of section 1607, and title XXIV of the House bill, and title XII of the Senate amendment, and modifications committed to conference: Messrs. JONES of North Carolina, STUDDS, HUGHES, HUTTO, HERTEL, TALLON, LANCASTER, DAVIS, FIELDS, BATEMAN, and INHOFE;

As additional conferees from the Committee on Merchant Marine and Fisheries, for consideration of sections 205, 1602, of the House bill, and sections 5204, 5302, 5304, and 11103 and title XXI of the Senate amendment, and modifications committed to conference: Messrs. JONES of North Carolina, STUDDS, and DAVIS;

As additional conferees from the Committee on Public Works and Transportation, for consideration of sections 121-28, 132, 411, 2453, 2461-64, 2705, 3102, and 3104 and title XVIII of the House bill, and sections 4120, 4401, 5303, 5308, 6101, 6201-24, 6304, and 10224 of the Senate amendment, and modifications committed to conference: Messrs. ROE, MINETA, NOWAK, APPLIGATE, DE LUGO, SAVAGE, BORSKI, HAMMERSCHMIDT, SHUSTER, PETRI, and INHOFE;

As additional conferees from the Committee on Public Works and Transportation, for consideration of sections 164(h), that portion of section 723 which adds a new section 212(i) to the Federal Power Act, 410, and 1316 of the House bill, and sections 12103, 12204, and 14113 of the Senate amendment, and modifications committed to conference: Messrs. ROE, MINETA, and HAMMERSCHMIDT; and

As additional conferees from the Committee on Science, Space, and Technology, for consideration of sections 901-02, 1203, 1207, 1301, 1306-09, 1318-19, 2471, 2502-03, 2513, 3005, 3007, 3009 and titles VI and XX-XXIII of the House bill, and sections 4201-18, 4305, 4401, 5201-02, 5204-06, 6104, 6501 and titles II, VIII, X, XIII and XIV of the Senate amendment, and modifications committed to conference: Mr. BROWN, Mrs. LLOYD, and Messrs. SCHEUER, WOLPE, STALLINGS, ROEMER, SWETT, WALKER, RITTER, MORRISON, and FAWELL.

By unanimous consent, the Speaker reserved the authority to make additional appointments and changes in appointments of conferees.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶101.24 HIGHWAY PROJECTS CONSTRUCTION

On motion of Mr. MINETA, by unanimous consent, the Committee on Public Works and Transportation was discharged from further consideration of the bill (H.R. 5830) to expedite construction of highway projects which provide additional quality jobs.

When said bill was considered, read twice, ordered to be engrossed and read

a third time, was read a third time by title, and passed.

Ordered. That the Clerk request the concurrence of the Senate in said bill.

¶101.25 U.S. CAPITOL POLICE

On motion of Ms. OAKAR, by unanimous consent, the bill of the Senate (S. 1766) relating to the jurisdiction of the United States Capitol Police; together with the following amendment of the Senate to the amendments of the House thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Capitol Police Jurisdiction Act".

SEC. 2. TECHNICAL AMENDMENT.

Effective November 5, 1990, section 106(a) of Public Law 101-520 is amended by striking out "(a) The" and inserting in lieu thereof "Section 9 of the".

SEC. 3. JURISDICTION OF CAPITOL POLICE.

(a) Section 9 of the Act of July 31, 1946 (40 U.S.C. 212a), is amended to read as follows:

"SEC. 9. (a)(1) The Capitol Police shall police the United States Capitol Buildings and Grounds under the direction of the Capitol Police Board, consisting of the Sergeant at Arms of the United States Senate, the Sergeant at Arms of the House of Representatives, and the Architect of the Capitol, and shall have the power to enforce the provisions of this Act and regulations promulgated under section 14 thereof, and to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto: *Provided*, That the Metropolitan Police force of the District of Columbia is authorized to make arrests within the United States Capitol Buildings and Grounds for any violations of any law of the United States, of the District of Columbia, or of any State, or any regulation promulgated pursuant thereto, but such authority shall not be construed as authorizing the Metropolitan Police force, except with the consent or upon the request of the Capitol Police Board, to enter such buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol Buildings and Grounds.

"(2) The Capitol Police shall have authority to make arrests in that part of the District of Columbia outside the United States Capitol Grounds for any violations of any law of the United States or the District of Columbia, or any regulation promulgated pursuant thereto. The arrest authority of the Capitol Police under this paragraph shall be concurrent with that of the Metropolitan Police force of the District of Columbia.

"(b)(1) For the purpose of this section, the term 'Grounds' includes the House Office Buildings parking areas, and any property acquired, prior to or on or after the date of the enactment of this subsection, in the District of Columbia by the Architect of the Capitol, or by an officer of the Senate or the House of Representatives, by lease, purchase, intergovernmental transfer, or otherwise, for the use of the Senate, the House of Representatives, or the Architect of the Capitol.

"(2) The property referred to in paragraph (1) of this subsection shall be considered 'Grounds' for purposes of this section only during such period that it is used by the Senate, House of Representatives, or the Architect of the Capitol. On and after the date next following the date of the termination by the Senate, House of Representatives, or Architect of the Capitol of the use of any

such property, such property shall be subject to the same police jurisdiction and authority as that to which it would have been subject if this subsection had not been enacted into law."

(b) The authority granted to the Capitol Police by the amendment made by subsection (a) of this section shall be in addition to any authority of the Capitol Police in effect on the date immediately prior to the date of the enactment of this Act.

SEC. 4. UNIFIED PAYROLL STUDY.

The Capitol Police Board shall provide for a study to determine the feasibility and desirability of administering payrolls for members of the Capitol Police and civilian support personnel of the Capitol Police on a unified basis by a single disbursing authority. The Capitol Police Board shall report the results of such study, together with its recommendations, to the Committee on Rules and Administration of the Senate and the Committee on House Administration of the House of Representatives before January 1, 1994.

TITLE I—LUMP-SUM PAYMENT PROVISIONS

SEC. 101. DEFINITIONS.

For the purpose of this title—

(1) the term "officer" includes all personnel of the rank of lieutenant or higher, including inspector;

(2) the term "member" includes all personnel below the rank of lieutenant, including detectives; and

(3) the term "Clerk of the House of Representatives" or "Clerk" includes a successor in function to the Clerk.

SEC. 102. LUMP-SUM PAYMENT FOR ACCUMULATED AND CURRENT ACCRUED ANNUAL LEAVE.

An officer or member of the United States Capitol Police who separates from service within the 2-year period beginning on the date of the enactment of this title and who, at the time of separation, satisfies the age and service requirements for title to an immediate annuity under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, shall be entitled to receive a lump-sum payment for the accumulated and current accrued annual leave to which that individual is entitled, but only to the extent that such leave is attributable to service performed by such individual as an officer or member of the Capitol Police.

SEC. 103. PROCEDURES.

(a) IN GENERAL.—A payment under this title shall be paid—

(1) in the case of an officer or member whose pay (for service last performed before separation) is disbursed by the Clerk of the House of Representatives—

(A) by the Clerk;

(B) after appropriate certification is made to the Clerk by the Sergeant at Arms of the House of Representatives; and

(C) out of funds available to pay the salaries of officers and members of the Capitol Police whose pay is disbursed by the Clerk; and

(2) in the case of an officer or member whose pay (for service last performed before separation) is disbursed by the Secretary of the Senate—

(A) by the Secretary of the Senate;

(B) after appropriate certification is made to the Secretary of the Senate by the Sergeant at Arms and Doorkeeper of the Senate; and

(C) out of funds available to pay the salaries of officers and members of the Capitol Police whose pay is disbursed by the Secretary of the Senate.

(b) CERTIFICATION.—Any certification under subsection (a)(1)(B) or (a)(2)(B) shall state the total of the accumulated and cur-

rent accrued annual leave, to the credit of the officer or member involved, which may be taken into account for purposes of a computation under subsection (c).

(c) COMPUTATION.—(1) The amount of a lump-sum payment under this title shall be determined by multiplying the hourly rate of basic pay of the officer or member involved by the number of hours certified with respect to such officer or member in accordance with the preceding provisions of this section.

(2) The hourly rate of basic pay of an officer or member shall, for purposes of this title, be determined by dividing 2,080 into the annual rate of basic pay last payable to such officer or member before separating.

(d) TREATMENT AS PAY.—A lump-sum payment under this title shall be considered to be pay for taxation purposes only.

(e) CLARIFICATION.—For purposes of this title, the terms "officer" and "member" may not be construed to include any civilian employee.

TITLE II—CITATION RELEASE

SEC. 201. BAIL AND COLLATERAL.

(a) ACTING CLERK.—(1) The judges of the Superior Court of the District of Columbia shall have the authority to appoint an official of the United States Capitol Police to act as a clerk of the court with authority to take bail or collateral from persons charged with offenses triable in the Superior Court at all times when the court is not open and its clerks accessible. The official so appointed shall have the same authority at those times with reference to taking bonds or collateral as the clerk of the Municipal Court had on March 3, 1933; shall receive no compensation for these services other than his regular salary; shall be subject to the orders and rules of the Superior Court in discharge of his duties, and may be removed as the clerk at any time by the judges of the court. The United States District Court for the District of Columbia shall have power to authorize the official appointed by the Superior Court to take bond of persons arrested upon writs and process from that court in criminal cases between 4 o'clock post meridian and 9 o'clock ante meridian and upon Sundays and holidays, and shall have power at any time to revoke the authority granted by it.

(2) An officer or member of the United States Capitol Police who arrests without a warrant a person for committing a misdemeanor may, instead of taking him into custody, issue a citation requiring the person to appear before an official of the United States Capitol Police designated under paragraph (1) of this subsection to act as a clerk of the Superior Court.

(3) Whenever a person is arrested without a warrant for committing a misdemeanor and is booked and processed pursuant to law, an official of the United States Capitol Police designated under paragraph (1) of this subsection to act as a clerk of the Superior Court may issue a citation to him for an appearance in court or at some other designated place, and release him from custody.

(4) No citation may be issued under paragraph (2) or (3) unless the person authorized to issue the citation has reason to believe that the arrested person will not cause injury to persons or damage to property and that he will make an appearance in answer to the citation.

(b) PENALTY.—Whoever willfully fails to appear as required in a citation, shall be fined not more than the maximum provided for the misdemeanor for which such citation was issued or imprisoned for not more than 1 year, or both. Prosecution under this paragraph shall be by the prosecuting officer responsible for prosecuting the offense for which the citation is issued.

When on motion of Ms. OAKAR, it was,

Resolved, That the House disagree to the amendment of the Senate to the amendments of the House and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Thereupon, the SPEAKER pro tempore, Mr. MONTGOMERY, by unanimous consent, announced the appointment of Mr. ROSE, Ms. OAKAR, Messrs. PANETTA, THOMAS of California, and ROBERTS, as managers on the part of the House at said conference.

Ordered, That the Clerk notify the Senate thereof.

¶101.26 WHOLESALE DRUG DISTRIBUTION

On motion of Mr. WAXMAN, by unanimous consent, the bill of the Senate (S. 3163) to amend the Federal Food, Drug, and Cosmetic Act to coordinate Federal and State regulation of wholesale drug distribution, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶101.27 VISIONARY ART

On motion of Mr. WILLIAMS, by unanimous consent, the Committee on Education and Labor was discharged from further consideration of the following concurrent resolution of the Senate (S. Con. Res. 81):

Whereas visionary art is the art produced by self-taught individuals who are driven by their own internal impulses to create;

Whereas the visionary artist's product is a striking personal statement possessing a powerful and often spiritual quality;

Whereas prominent among the creators of visionary art are the mentally ill, the disabled, and the elderly;

Whereas there are many museums of visionary art located throughout Europe such as the Art Brut Museum located in Lausanne, Switzerland;

Whereas the American Visionary Art Museum is the first museum in North America to be wholly dedicated to assembling a comprehensive national collection of American visionary art;

Whereas the collection at the American Visionary Art Museum includes film, literature, and research on all fields related to visionary art;

Whereas the American Visionary Art Museum's mission is to increase public awareness of uncommon art produced by individuals in response to extraordinary circumstances;

Whereas the American Visionary Art Museum seeks to remove the stigma associated with disability by illuminating the power of humans to triumph over adversity through creativity;

Whereas the national policy of deinstitutionalization has resulted in the closure of many facilities and the destruction of visionary artwork;

Whereas the American Visionary Art Museum has the support of certain offices of the National Institute of Mental Health and other government agencies in its goal to function as a national repository for works

produced by formerly institutionalized individuals; and

Whereas it is the best interest of the national welfare and all American citizens to preserve visionary art and to celebrate this unique art form: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) visionary art should be designated as a rare and valuable national treasure to which we devote our attention, support, and resources to make certain that it is collected, preserved, and understood; and

(2) the American Visionary Art Museum is the proper national repository and educational center for visionary art.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶101.28 RAILROAD SAFETY AUTHORIZATION

On motion of Mr. SWIFT, by unanimous consent, the bill (H.R. 2607) to authorize activities under the Federal Railroad Safety Act of 1970 for fiscal years 1992 through 1994, and for other purposes; together with the following amendment of the Senate to the amendments of the House to the amendment of the Senate thereto, was taken from the Speaker's table:

Page 27, after line 14, of the House amendment to the Senate amendment to the text of the bill, insert:

SEC. 19. AIRPORT LEASES.

(a) FINDINGS.—Congress finds that—

(1) there are major airports served by an air carrier that has leased a substantial majority of the airport's gates;

(2) the commerce in the region served by such a major airport can be disrupted if the air carrier that leases most of its gates enters bankruptcy and either discontinues or materially reduces service; and

(3) it is important that such airports be empowered to continue service in the event of such a disruption.

(b) BANKRUPTCY RULES REGARDING UNEXPIRED LEASES.—Section 365(d) of title 11, United States Code, is amended by adding at the end the following new paragraphs:

“(5) Notwithstanding paragraphs (1) and (4) of this subsection, in a case under any chapter of this title, if the trustee does not assume or reject an unexpired lease of nonresidential real property under which the debtor is an affected air carrier that is the lessee of an aircraft terminal or aircraft gate before the occurrence of a termination event, then (unless the court orders the trustee to assume such unexpired leases within 5 days after the termination event), at the option of the airport operator, such lease is deemed rejected 5 days after the occurrence of a termination event and the trustee shall immediately surrender possession of the premises to the airport operator; except that the lease shall not be deemed to be rejected unless the airport operator first waives the right to damages related to the rejection. In the event that the lease is deemed to be rejected under this paragraph, the airport operator shall provide the affected air carrier adequate opportunity after the surrender of the premises to remove the fixtures and equipment installed by the affected air carrier.

“(6) For the purpose of paragraph (5) of this subsection and paragraph (f)(1) of this

section, the occurrence of a termination event means, with respect to a debtor which is an affected air carrier that is the lessee of an aircraft terminal or aircraft gate—

“(A) the entry under section 301 or 302 of this title of an order for relief under chapter 7 of this title;

“(B) the conversion of a case under any chapter of this title to a case under chapter 7 of this title; or

“(C) the granting of relief from the stay provided under section 362(a) of this title with respect to aircraft, aircraft engines, propellers, appliances, or spare parts, as defined in section 101 of the Federal Aviation Act of 1958 (49 App. U.S.C. 1301), except for property of the debtor found by the court not to be necessary to an effective reorganization.

“(7) Any order entered by the court pursuant to paragraph (4) extending the period within which the trustee of an affected air carrier must assume or reject an unexpired lease of nonresidential real property shall be without prejudice to—

“(A) the right of the trustee to seek further extensions within such additional time period granted by the court pursuant to paragraph (4); and

“(B) the right of any lessor or any other party in interest to request, at any time, a shortening or termination of the period within which the trustee must assume or reject an unexpired lease of nonresidential real property.

“(8) The burden of proof for establishing cause for an extension by an affected air carrier under paragraph (4) or the maintenance of a previously granted extension under paragraph (7)(A) and (B) shall at all times remain with the trustee.

“(9) For purposes of determining cause under paragraph (7) with respect to an unexpired lease of nonresidential real property between the debtor that is an affected air carrier and an airport operator under which such debtor is the lessee of an airport terminal or an airport gate, the court shall consider, among other relevant factors, whether substantial harm will result to the airport operator or airline passengers as a result of the extension or the maintenance of a previously granted extension. In making the determination of substantial harm, the court shall consider, among other relevant factors, the level of actual use of the terminals or gates which are the subject of the lease, the public interest in actual use of such terminals or gates, the existence of competing demands for the use of such terminals or gates, the effect of the court's extension or termination of the period of time to assume or reject the lease on such debtor's ability to successfully reorganize under chapter 11 of this title, and whether the trustee of the affected air carrier is capable of continuing to comply with its obligations under section 365(d)(3) of this title.”.

(c) PARTIAL ASSIGNMENTS OR ASSUMPTIONS OF LEASES.—Section 365(c) of title 11, United States Code, is amended—

(1) by striking “or” at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting in lieu thereof “; or”; and

(3) by adding at the end the following new paragraph:

“(4) such lease is of nonresidential real property under which the debtor is the lessee of an aircraft terminal or aircraft gate at an airport at which the debtor is the lessee under one or more additional nonresidential leases of an aircraft terminal or aircraft gate and the trustee, in connection with such assumption or assignment, does not assume all such leases or does not assume and assign all of such leases to the same person, except that the trustee may assume or assign less

than all of such leases with the airport operator's written consent."

(d) PROHIBITION OF LEASE ASSIGNMENTS AFTER TERMINATION EVENT.—Section 365(f)(1) of title 11, United States Code, is amended by striking the period at the end and inserting in lieu thereof the following: "except that the trustee may not assign an unexpired lease of nonresidential real property under which the debtor is an affected air carrier that is the lessee of an aircraft terminal or aircraft gate if there has occurred a termination event."

(e) AFFECTED AIR CARRIER DEFINED.—Section 365 of title 11, United States Code, is amended by adding at the end the following new subsection:

"(p) In this section, 'affected air carrier' means an air carrier, as defined in section 101(3) of the Federal Aviation Act of 1958, that holds 65 percent or more in number of the aircraft gates at an airport—

"(1) which is a Large Air Traffic Hub as defined by the Federal Aviation Administration in Report FAAAP 921, February 1992; and

"(2) all of whose remaining aircraft gates are leased or under contract on the date of enactment of this subsection."

(f) APPLICABILITY.—The amendments made by this section shall be in effect for the 12-month period that begins on the date of enactment of this Act and shall apply in all proceedings involving an affected air carrier (as defined in section 365(p) of title 11, United States Code, as amended by this section) that are pending during such 12-month period. Not later than 9 months after the date of enactment, the Administrator of the Federal Aviation Administration shall report to the Committee on Commerce, Science, and Transportation and Committee on the Judiciary of the Senate and the Committee on the Judiciary and Committee on Public Works and Transportation of the House of Representatives on whether this section shall apply to proceedings that are commenced after such 12-month period.

On motion of Mr. SWIFT, said Senate amendment to the House amendments to the Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment to the House amendments to the Senate amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶101.29 THRIFTY FOOD PLAN

On motion of Mr. DE LA GARZA, by unanimous consent, the Committee on Agriculture was discharged from further consideration of the bill of the Senate (S. 3001) to amend the Food Stamp Act of 1977 to prevent a reduction in the adjusted cost of the thrifty food plan during fiscal year 1993, and for other purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby the bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶101.30 SPEAKER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, notwithstanding any adjournment of the House until Wednesday, September 9, 1992, the Speaker and the Minority Leader be authorized to accept resignations and to make appointments to commissions, boards and committees duly authorized by law or by the House.

¶101.31 CALENDAR WEDNESDAY BUSINESS DISPENSED WITH

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That business in order for consideration on Wednesday, September 9, 1992, under clause 7, rule XXIV, the Calendar Wednesday rule, be dispensed with.

¶101.32 PROVIDING FOR THE ADJOURNMENT OF THE TWO HOUSES

The SPEAKER pro tempore, Mr. MONTGOMERY, laid before the House the following privileged concurrent resolution (S. Con. Res. 135):

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Wednesday, August 12, 1992, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand recessed or adjourned until 12:00 noon, or until such time as may be specified by the Majority Leader, or his designee, in the motion to adjourn or recess, on Tuesday, September 8, 1992, or until 12:00 noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first; and that when the House of Representatives adjourns at the close of business on the legislative day of Wednesday, August 12, 1992, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand adjourned until 12:00 noon on Wednesday, September 9, 1992, or until 12:00 noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and the House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶101.33 DESIGNATION OF SPEAKER PRO TEMPORE TO SIGN ENROLLMENTS

The SPEAKER laid before the House a communication, which was read as follows:

AUGUST 12, 1992.

I hereby designate the Honorable Steny H. Hoyer to sign enrolled bills and joint resolutions through September 9, 1992.

THOMAS S. FOLEY,

Speaker of the House of Representatives.

By unanimous consent, the designation was accepted.

¶101.34 SUBPOENA

The SPEAKER pro tempore, Mr. ENGEL, laid before the House a communication, which was read as follows:

COMMITTEE ON GOVERNMENT OPERATIONS,

Washington, DC, August 12, 1992.

Hon. THOMAS S. FOLEY,

Speaker of the House, the Capitol

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L(50) of the Rules of the House that the Subcommittee on Employment and Housing of the Committee on Government Operations has been served with a subpoena for documents relating to the Subcommittee's investigation of the U.S. Department of Housing and Urban Development, issued by the United States District Court for the District of Columbia.

After consultation with the General Counsel to the Clerk, I will make the determinations required by the Rule.

Sincerely,

TOM LANTOS,
Chairman.

¶101.35 ENROLLED BILL SIGNED

Mr. ROSE, from the Committee on House Administration, reported that that committee had examined and found truly an enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5487. An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1993, and for other purposes.

¶101.36 SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 544. An Act to protect animal enterprises;

S. 807. An Act to permit Mount Olivet Cemetery Association of Salt Lake City, Utah, to lease a certain tract of land for a period of not more than 70 years; and

S. 3112. An Act to amend the Public Health Service Act to make certain technical corrections, and for other purposes.

¶101.37 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. GINGRICH, for today; and

To Mr. MARKEY, for today.

And then,

¶101.38 ADJOURNMENT

On motion of Mr. JONTZ, pursuant to the provisions of Senate Concurrent Resolution 135, at 6 o'clock and 47 minutes p.m., the House adjourned until 12 o'clock noon on Wednesday, September 9, 1992.

¶101.39 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XXIV, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. SLAUGHTER: Committee on Rules. House Resolution 555. Resolution providing for the consideration of the bill (H.R. 4706) to amend the Consumer Product Safety Act to extend the authorization of appropriations under that act, and for other purposes (Report No. 102-840). Referred to the House Calendar.

Mr. BROWN: Committee on Science, Space, and Technology. H.R. 5231. A bill to amend the Stevenson-Wylder Technology Innovation Act of 1980 to enhance manufacturing technology development and transfer, to authorize appropriations for the Technology Administration of the Department of Commerce, including the National Institute of Standards and Technology, and for other purposes; with an amendment (Rept. No. 102-841). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROE: Committee on Public Works and Transportation. H.R. 5754. A bill to provide for the conservation and development of water and related resources, to authorize U.S. Army Corps of Engineers civil works program to construct various projects for improvements to the Nation's infrastructure, and for other purposes; with an amendment (Rept. No. 102-842). Referred to the Committee of the Whole House on the State of the Union.

Mr. JONES of North Carolina: Committee on Merchant Marine and Fisheries. H.R. 3842. A bill to extend the territorial sea and the contiguous zone of the United States, and for other purposes; with an amendment (Rept. No. 102-843, Pt. 1). Ordered to be printed.

Mr. GONZALEZ: Committee on Banking, Finance and Urban Affairs. H.R. 4300. A bill to amend the Stewart B. McKinney Homeless Assistant Act to extend programs providing urgently needed assistance for the homeless, and for other purposes; with an amendment (Rept. No. 102-844, Pt. 1). Ordered to be printed.

Mr. FORD of Michigan: Committee on Education and Labor. H.R. 4014. A bill to improve education in the United States by promoting excellence in research, development, and the dissemination of information; with an amendment (Rept. No. 102-845). Referred to the Committee of the Whole House on the State of the Union.

Mr. DINGELL: Committee on Energy and Commerce. H.R. 5346. A bill relating to Native Hawaiian Health Care, and for other purposes; with an amendment (Rept. No. 102-846). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on the Judiciary. H.R. 5096. A bill to supersede the Modification of Final Judgment entered August 24, 1982, in the antitrust action styled U.S. versus Western Electric, Civil Action No. 82-0192, U.S. District Court for the District of Columbia; and for other purposes; with an amendment (Rept. No. 102-850). Referred to the Committee of the Whole House on the State of the Union.

101.40 REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BROOKS: Committee on the Judiciary. H.R. 4069. A bill for the relief of Rollins H. Mayer; with an amendment (Rept. No. 102-847). Referred to the Committee of the Whole House.

Mr. BROOKS: Committee on the Judiciary. H.R. 5265. A bill for the relief of Terrill W. Ramsey (Rept. No. 102-848). Referred to the Committee of the Whole House.

Mr. BROOKS: Committee on the Judiciary. House Resolution 492. Resolution referring to the bill (H.R. 5426) for the relief of Bear Claw Tribe, Inc. to the chief judge of the U.S. Claims Court; with an amendment (Rept. No. 102-849). Referred to the Committee of the Whole House.

101.41 REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. GONZALEZ: Committee on Banking, Finance and Urban Affairs. H.R. 3927. A bill to extend and revise rulemaking authority with respect to Government securities under the Federal securities laws, and for other purposes; with amendments; the amendments recommended by the Committee on Banking, Finance and Urban Affairs referred to the Committee on Ways and Means for a period ending not later than September 18, 1992, for consideration of such provisions of the amendments, as fall within the jurisdiction of that committee pursuant to clause 1(v), rule X (Rept. No. 102-722, pt. 2). Ordered to be printed.

Mr. BROOKS: Committee on the Judiciary. H.R. 4542. A bill to prevent and deter auto theft; with an amendment; referred to the Committee on Energy and Commerce for a period ending not later than September 19, 1992 for consideration of such provisions of the bill and amendment recommended by the Committee on the Judiciary as fall within the jurisdiction of that committee pursuant to clause 1(h), rule X (Rept. No. 102-851, pt. 1). Ordered to be printed.

101.42 SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of rule X the following action was taken by the Speaker:

H.R. 3927. The amendments recommended by the Committee on Banking, Finance and Urban Affairs referred to the Committee on Ways and Means for a period ending not later than September 18, 1992, for consideration of such provisions of the amendments as fall within the jurisdiction of that committee pursuant to clause 1(v), rule X.

101.43 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROE (for himself, Mr. MINETA, Mr. GEPHARDT, Mr. BONIOR, Mr. HAMMERSCHMIDT, Mr. SHUSTER, Mr. MICHEL, and Mr. GINGRICH):

H.R. 5830. A bill to expedite construction of highway projects which provide additional quality jobs; to the Committee on Public Works and Transportation.

By Mr. LAUGHLIN:

H.R. 5831. A bill to designate the Federal building located at 312 South Main Street in Victoria, TX, as the "Martin Luther King, Jr. Federal Building"; to the Committee on Public Works and Transportation.

By Mr. EVANS (for himself, Mr. MARTINEZ, Mr. COSTELLO, MS. WATERS, Ms. LONG, and Mr. JONTZ):

H.R. 5832. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to establish a Persian Gulf War Health Registry; to the Committee on Veterans' Affairs.

By Mr. LAROCCO:

H.R. 5833. A bill to increase access to health care services for individuals in rural areas, and for other purposes; jointly, to the Committees on Energy and Commerce, Ways and Means, and the Judiciary.

By Mr. EWING (for himself and Mr. JONTZ):

H.R. 5834. A bill to amend the Federal Crop Insurance Act to modify the provisions governing yield averages, to provide late planting and prevented planting coverage, and to

authorize higher levels of coverage; to the Committee on Agriculture.

By Mr. ACKERMAN:

H.R. 5835. A bill to amend the Truth in Lending Act to limit unauthorized use of credit cards by discouraging theft of credit cards that are mailed; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ALLEN (for himself, Mr. BLILEY, Mr. BATEMAN, Mr. WOLF, and Mr. PICKETT):

H.R. 5836. A bill to transfer title to certain lands in Shenandoah National Park in the State of Virginia, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ANDREWS of Maine:

H.R. 5837. A bill to provide universal access for all Americans to basic health care services and long-term care services; jointly, to the Committees on Energy and Commerce, Ways and Means, Education and Labor, Rules, Armed Services, Veterans' Affairs, and Post Office and Civil Service.

By Mr. BLACKWELL:

H.R. 5838. A bill to prevent certain employers from using genetic information to deny employment opportunities; jointly, to the Committees on Education and Labor, Post Office and Civil Service, House Administration, and the Judiciary.

H.R. 5839. A bill to amend the Federal Food, Drug, and Cosmetic Act to require pre-market approval of food derived from genetically modified plants; to the Committee on Energy and Commerce.

By Mr. BROOKS (for himself and Mr. FRANK of Massachusetts):

H.R. 5840. A bill to reauthorize the independent counsel law for an additional 5 years, and for other purposes; to the Committee on the Judiciary.

By Mr. CARPER:

H.R. 5841. A bill to amend the Shipping Act of 1984 to make U.S. shippers more competitive in the global marketplace and to improve the financial well-being of U.S. ocean common carriers by allowing for direct negotiations between shippers and carriers, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CONYERS (for himself, Mr. KENNEDY, Mr. DELLUMS, Mr. HORTON, Mr. ABERCROMBIE, Mr. SPRATT, Mr. FORD of Tennessee, Ms. NORTON, Mr. SAVAGE, Mr. STOKES, Mr. ESPY, Mr. DYMALLY, Mr. OWENS of New York, Mr. RAVENEL, Mr. TALLON, Mr. RANGEL, Mr. PAYNE of New Jersey, Mr. TOWNS, Mr. BLACKWELL, Mr. PANNETTA, Mr. SPENCE, Mr. WHEAT, Mr. DIXON, Mr. DE LUGO, Mr. TORRICELLI, Mrs. COLLINS of Michigan, Mr. VANDER JAGT, Mrs. PATTERSON, Mr. JACOBS, Mr. WASHINGTON, Mr. JEFFERSON, Mr. RITTER, and Mr. DERRICK):

H.R. 5842. A bill to award a congressional gold medal to John Birks "Dizzy" Gillespie; to the Committee on Banking, Finance and Urban Affairs.

By Mr. CONYERS:

H.R. 5843. A bill to provide that elections for President, Senators, and Members of the Congress be held on Saturday; to the Committee on House Administration.

By Mr. DINGELL (for himself and Mr. TRAXLER):

H.R. 5844. A bill to amend the Agricultural Act of 1949 to compute farm program payment yields based on actual yields, and for other purposes; to the Committee on Agriculture.

By Mr. DORGAN of North Dakota:

H.R. 5845. A bill to establish goals for the award of Federal procurement contracts to rural business concerns, and for other purposes; to the Committee on Government Operations.

By Mr. DOWNEY (for himself, Mr. MILLER of California, Mr. WILLIAMS, and Mr. MATSUI):

H.R. 5846. A bill to increase the number of weeks for which emergency unemployment compensation is payable, and for other purposes; jointly, to the Committees on Ways and Means, Education and Labor, and Energy and Commerce.

By Mr. DOWNEY:

H.R. 5847. A bill to amend the Internal Revenue Code of 1986 to clarify the exemption for student nurses from Social Security and unemployment taxes; to the Committee on Ways and Means.

By Mr. ENGEL:

H.R. 5848. A bill to prohibit a rental car company from charging a surcharge or fee in a rental agreement for a vehicle based on the residence of the renter; to the Committee on Energy and Commerce.

By Mr. GEKAS:

H.R. 5849. A bill to amend title 28, United States Code, to authorize the office of independent counsel, and for other purposes; to the Committee on the Judiciary.

By Mr. HALL of Texas (for himself, Mr. MCCURDY, and Mr. CUNNINGHAM):

H.R. 5850. A bill to amend the Fair Labor Standards Act of 1938 to ensure that inmates are not treated as employees for purposes of such act; to the Committee on Education and Labor.

By Mr. HORTON (for himself and Mr. CONYERS):

H.R. 5851. A bill to establish the Commission on Information Technology and Paperwork Reduction; to the Committee on Government Operations.

By Mr. HUCKABY (for himself and Mr. ROSE):

H.R. 5852. A bill to establish a 20-percent maximum broken kernel content limit for Public Law 480 rice shipments; jointly, to the Committees on Agriculture and Foreign Affairs.

By Mr. HUGHES:

H.R. 5853. A bill to designate segments of the Great Egg Harbor River and its tributaries in the State of New Jersey as components of the National Wild and Scenic Rivers System; to the Committee on Interior and Insular Affairs.

By Mr. HUNTER:

H.R. 5854. A bill to provide for uniformity of quality and a substantial reduction in the overall costs of health care in the United States through the development of diagnostic and treatment protocols and the implementation of the protocols in the program under title XVIII of the Social Security Act, the imposition of limitations on the amount of damages that may be paid in a health care liability action, and the mandatory establishment by States of alternative dispute resolution systems to resolve health care liability claims, and for other purposes; jointly, to the Committees on Ways and Means, Energy and Commerce, and the Judiciary.

By Mr. JOHNSON of South Dakota (for himself and Mr. DORGAN of North Dakota):

H.R. 5855. A bill to amend the Federal Meat Inspection Act to require that imported meat and meat food products containing imported meat be labeled imported, and to require that certain eating establishments serving imported meat inform customers of that fact; to the Committee on Agriculture.

By Mr. JOHNSON of South Dakota (for himself and Mr. MILLER of California and Mr. OWENS of Utah):

H.R. 5856. A bill to authorize the establishment of the Chief Big Foot National memorial Park and the Wounded Knee National Memorial in the State of South Dakota, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KOSTMAYER:

H.R. 5857. A bill to provide for standards for the cleanup of domestic nuclear energy industry facilities and other radiologically contaminated sites; jointly, to the Committees on Energy and Commerce and Interior and Insular Affairs.

By Mr. LAFALCE:

H.R. 5858. A bill to amend the Stevenson-Wylder Technology Innovation Act of 1980 to establish the National Quality Commitment Award with the objective of encouraging American universities to teach total quality management, to emphasize the importance of process manufacturing, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. MACHTLEY:

H.R. 5859. A bill to amend the Fair Credit Reporting Act to prohibit the inclusion of certain information in files and credit reports relating to consumers; to the Committee on Banking, Finance and Urban Affairs.

H.R. 5860. A bill to direct the Secretary of the Army to make a grant to the city of Pawtucket, RI, for replacement and repair of the city's water transmission system; to the Committee on Public Works and Transportation.

By Mr. MANTON:

H.R. 5861. A bill to amend the Truth in Lending Act to limit the unauthorized use of credit cards and the theft of credit cards and other mail from Postal Service facilities; jointly, to the Committees on Banking, Finance and Urban Affairs and the Judiciary.

By Mr. MANTON (for himself and Ms. MOLINARI):

H.R. 5862. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to ensure an equitable and timely distribution of benefits to public safety officers; to the Committee on the Judiciary.

By Mr. MANTON:

H.R. 5863. A bill to amend title I of the Marine Protection Research, and Sanctuaries Act of 1972 to ensure that land-based management alternatives for sewage sludge are protective of human health and the environment; jointly, to the Committees on Merchant Marine and Fisheries, Public Works and Transportation, and Energy and Commerce.

By Mr. MONTGOMERY (for himself,

Mr. STUMP, Mr. APPLIGATE, Mr. HAMMERSCHMIDT, Mr. EDWARDS, of California, Mr. WYLIE, Mr. PENNY, Mr. STAGGERS, Mr. SMITH of New Jersey, Mr. ROWLAND, Mr. BURTON of Indiana, Mr. SLATTERY, Mr. BILIRAKIS, Mr. HARRIS, Mr. RIDGE, Mrs. PATTERSON, Mr. JAMES, Mr. SANGMEISTER, Mr. STEARNS, Mr. JONES of Georgia, Mr. PAXON, Ms. LONG, Mr. SPENCE, Mr. EDWARDS of Texas, Mr. NICHOLS, Mr. BREWSTER, Mr. SANTORUM, Mr. GEREN of Texas, Mr. CLEMENT, Mr. PICKETT, Mr. BLAZ, and Mrs. MORELLA):

H.R. 5864. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish and maintain a Persian Gulf War Veterans Registry; to the Committee on Veterans' Affairs.

By Mr. MOODY (for himself and Mr. RIDGE):

H.R. 5865. A bill to prohibit the use of appropriated funds to adjust the 1990 decennial census or any intercensal estimates by the Bureau of the Census of the U.S. Department of Commerce; to the Committee on Post Office and Civil Service.

H.R. 5866. A bill to amend title 13, United States Code, to require the Secretary of Commerce to notify the Senate and House of Representatives about changes in the methodology for producing numbers used in any Federal funding formula; to the Committee on Post Office and Civil Service.

By Mr. MOODY:

H.R. 5867. A bill to amend title XVIII of the Social Security Act to require as a condition of participation in the Medicare Program that hospitals disclose the costs incurred by the hospital in providing services to patients; to the Committee on Ways and Means.

By Mr. MRAZEK (for himself, Mr. BERMAN, Mr. CONYERS, Mr. FEIGHAN, Mr. FRANK of Massachusetts, Mr. BRYANT, Mr. BEILENSEN, Mr. FROST, Mr. MILLER of California, Mrs. MINK, Mr. SERRANO, Mr. SHAYS, Mrs. LOWEY of New York, Mr. KOSTMAYER, Mr. HOCHBRUECKNER, Mr. ABERCROMBIE, Mr. KOPETSKI, Mr. DURBIN, and Mr. ATKINS):

H.R. 5868. A bill to amend the act entitled "An act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes", enacted July 5, 1946 (commonly known as the Lanham Act), to require certain disclosures relating to materially altered films; to the Committee on the Judiciary.

By Mr. MURPHY:

H.R. 5869. A bill to authorize the Secretary of the Interior to acquire certain real property in Fayette County, PA, Monongalia County, WV, and Preston County, WV; to the Committee on Interior and Insular Affairs.

By Ms. NORTON:

H.R. 5870. A bill to require the Administrator of General Services, the Director of the National Park Service, the Architect of the Capitol, and the Secretary of the Smithsonian Institution to provide notice to the District of Columbia before carrying out any activity affecting property located in the District of Columbia, and for other purposes; jointly, to the Committees on Interior and Insular Affairs, Public Works and Transportation, House Administration, and the District of Columbia.

By Ms. OAKAR:

H.R. 5871. A bill to provide for more effective use of U.S. contributions to the International Monetary Fund, to provide for a U.S. contribution to the International Finance Corporation, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

H.R. 5872. A bill to require the Secretary of the Treasury to mint coins in commemoration of women who have served in the Armed Forces of the United States; to the Committee on Banking, Finance and Urban Affairs.

H.R. 5873. A bill to provide for more effective use of U.S. contributions to the International Monetary Fund; to the Committee on Banking, Finance and Urban Affairs.

By Mr. ORTIZ:

H.R. 5874. A bill to establish a wetlands center at the Port of Brownsville, TX, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PALLONE (for himself, Mr. FROST, and Mr. HERTEL):

H.R. 5875. A bill to establish the National Environmental Sciences and Technology Agency, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. PELOSI:

H.R. 5876. A bill to assist the States in the enactment of legislation to address the criminal act of stalking; to the Committee on the Judiciary.

By Ms. PELOSI (for herself, Mr. MINETA, Mr. BERMAN, Mrs. BOXER, Mr. CONYERS, Mr. EDWARDS of California, Mr. GILMAN, Mr. LANTOS, Mr. SOLARZ, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDERSON, Mr. ANDREWS of New Jersey, Mr. BORSKI, Mr. BUSTAMANTE, Mr. CUNNINGHAM, Mr. DE LUIGO, Mr. EVANS, Mr. FOGLIETTA, Mr. HORTON,

Mr. HUNTER, Mr. KOSTMAYER, Mr. LANCASTER, Mr. MATSUI, Mr. MILLER of California, Mrs. MINK, Ms. NORTON, Mr. PANETTA, Mr. RANGEL, Mr. ROYBAL, Mr. SHARP, Mr. SPENCE, Mr. STARK, Mr. TORRES, Mr. TOWNS, Mr. WAXMAN, and Mr. WELDON):

H.R. 5877. A bill to extend the deadline for applying for naturalization of certain Filipino veterans of World War II, and for other purposes; to the Committee on the Judiciary.

By Mr. PETRI:

H.R. 5878. A bill to amend the Higher Education Act of 1965 to encourage lifelong learning by permitting students attending a program of postsecondary education on a less than half-time basis to receive Federal family education loans, and authorizing the Student Loan Marketing Association to originate loans to enable students to borrow up to \$25,000 under a lifelong learning line of credit for education and job training that shall be repaid based on the borrower's ability to pay, and for other purposes; to the Committee on Education and Labor.

By Mr. RAHALL:

H.R. 5879. A bill to amend title 38, United States Code, to authorize accelerated payments for short-term, high-cost courses taken by veterans pursuing postsecondary education, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RAMSTAD (for himself and Mr. BILBRAY):

H.R. 5880. A bill to amend the Small Business Act to authorize small business concerns owned and controlled by individuals with disabilities to participate in business development programs established by that act, and for other purposes; to the Committee on Small Business.

By Mr. RITTER:

H.R. 5881. A bill to provide for the establishment and evaluation of performance standards and goals for expenditures in the Federal budget, and for other purposes; jointly, to the Committees on Government Operations and Rules.

By Mr. ROBERTS:

H.R. 5882. A bill to amend the Agricultural Act of 1949 to authorize the transfer of crop acreage base between program crops on a farm and the establishment of a farm program payment yield for the program crop receiving such base on behalf of producers adversely affected by an irrigation water shortage; to the Committee on Agriculture.

By Mr. SABO:

H.R. 5883. A bill to amend the Fair Labor Standards Act of 1938 to increase the minimum wage; to the Committee on Education and Labor.

By Mr. SARPALIUS:

H.R. 5884. A bill to amend title 23, United States Code, and the Intermodal Surface Transportation Efficiency Act of 1991 to repeal provisions establishing a national maximum speed limit; to the Committee on Public Works and Transportation.

By Mrs. SCHROEDER: (for herself, Mr. EVANS, Mrs. LLOYD, Ms. LONG, Mr. EDWARDS of California, and Mr. CARPER):

H.R. 5885. A bill to amend title 38, United States Code, to improve the care and services furnished to veterans who have experienced sexual trauma while on active duty, to study the needs of such veterans, to expand and improve other Department of Veterans Affairs programs that provide care and services to women veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SIKORSKI

H.R. 5886. A bill to reauthorize the Office of Special Counsel through fiscal year 1994; to the Committee on Post Office and Civil Service.

By Mr. SKAGGS (for himself, Mr. MORRISON, Mr. SCHIFF, Mrs. SCHROEDER, Mr. RICHARDSON, Mr. STARK, Mr. BUSTAMANTE, Mr. EVANS, Mr. SANDERS, Mr. JONTZ, Mr. STALLINGS, and Mrs. LLOYD):

H.R. 5887. A bill to provide health insurance benefits to certain former employees at defense nuclear facilities of the Department of Energy for injuries caused by exposure to ionizing radiation; to the Committee on Energy and Commerce.

By Mr. SMITH of Oregon:

H.R. 5888. A bill to amend the Klamath River Basin Fishery Resources Restoration Act to increase the number of members of the Klamath River Basin Fisheries Task Force; to the Committee on Merchant Marine and Fisheries.

By Ms. SNOWE:

H.R. 5889. A bill to make the Age Discrimination in Employment Act of 1967 applicable to the House of Representatives and the instrumentalities of the Congress, to give certain employees of the House of Representatives and the instrumentalities of the Congress the right to petition for judicial review for violations of certain laws and rules concerning civil rights and employment practices, and for other purposes; jointly, to the Committees on House Administration, Education and Labor, and Rules.

By Mr. SOLARZ:

H.R. 5890. A bill to impose strict controls on the importation, transfer, transportation, manufacture, possession, and ownership of handguns; to the Committee on the Judiciary.

H.R. 5891. A bill to provide for community-based language training for U.S. foreign service officers, other U.S. Government officials, and State and local employees and voluntary workers providing important services to Spanish-speaking communities; jointly, to the Committees on Foreign Affairs and Education and Labor.

By Mr. STALLINGS (for himself and Mr. OWENS of Utah):

H.R. 5892. A bill to make applicable to the Congress certain laws relating to civil rights and employment practices; jointly, to the Committees on House Administration, Education and Labor, and Government Operations.

By Mr. STARK:

H.R. 5893. A bill to amend the Public Health Service Act to establish a National AIDS Vaccine Development and Compensation Program for the development of human immunodeficiency virus vaccines and a program to compensate the victims of human immunodeficiency virus vaccine-related injuries and deaths by establishing an AIDS Vaccine Injury Compensation Trust Fund, and for other purposes; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. STUDDS (for himself and Mr. NEAL of Massachusetts):

H.R. 5894. A bill to amend the Immigration Act of 1990 and the Immigration and Nationality Act with respect to the transition and permanent diversity immigrant programs; to the Committee on the Judiciary.

By Mr. STUDDS:

H.R. 5895. A bill to provide for the establishment of the National Environmental Business Foundation to encourage and promote opportunities for the U.S. private sector to provide environmental technology (including marine biotechnology), education and training, and other assistance to developing countries; jointly, to the Committees on Foreign Affairs and Merchant Marine and Fisheries.

By Mr. STUDDS (for himself and Mr. MOAKLEY):

H.R. 5896. A bill to reduce the harbor maintenance tax, amend its applicability and en-

hance its enforcement; jointly, to the Committees on Ways and Means and Public Works and Transportation.

By Mr. THOMAS of California:

H.R. 5897. A bill to amend title XVI of the Social Security Act to institute certain reforms relating to representative payees and to the provision of supplemental security income benefits to the disabled based on substance abuse, and for other purposes; jointly, to the Committees on Energy and Commerce and Ways and Means.

By Mr. THOMAS of Georgia:

H.R. 5898. A bill to amend Public Law 874, 81st Congress, to provide for increased payments in lieu of taxes to certain school districts bisected by Federal installations; to the Committee on Education and Labor.

By Mr. THOMAS of Wyoming:

H.R. 5899. A bill to provide for a water purchase contract by Kirby Ditch Irrigation District and by Bluff Irrigation District in the State of Wyoming; to the Committee on Interior and Insular Affairs.

By Mr. PEASE (for himself, Mr. STARK, Mr. MATSUI, Mr. COYNE, Mr. ECKART, Mr. FEIGHAN, Ms. KAPTUR, Mr. KILDEE, Ms. OAKAR, Mr. SAWYER, and Mr. STOKES):

H.R. 5900. A bill to provide a comprehensive program of adjustment assistance to workers adversely affected by import competition or the relocation of U.S. production facilities abroad; to the Committee on Ways and Means.

By Mr. THOMAS of Wyoming:

H.R. 5901. A bill to authorize the Secretary of the Interior to transfer to the Goshute Irrigation District, WY, certain lands and irrigation structures relating to the Fort Laramie Division of the North Platte Project; to the Committee on Interior and Insular Affairs.

By Mr. TORRICELLI:

H.R. 5902. A bill to establish Federal, State, and local programs for the investigation, reporting and prevention of bias crimes; to the Committee on the Judiciary.

By Mr. TOWNS:

H.R. 5903. A bill to provide grants to reduce the number of homicides and the incidents of violence by students, ages 13 to 21, and for other purposes; jointly, to the Committees on Education and Labor and the Judiciary.

By Mrs. UNSOELD:

H.R. 5904. A bill to establish a National Shellfish Safety Program; jointly, to the Committees on Energy and Commerce and Merchant Marine and Fisheries.

By Mr. VENTO:

H.R. 5905. A bill to provide additional funding to the Resolution Trust Corporation, to make necessary improvements in the operation of such Corporation, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. VENTO (for himself and Mr. LAGOMARSINO):

H.R. 5906. A bill to direct the Secretary of the Interior to exchange certain lands with the District of Columbia and to regulate advertising and related commercial activities in the National Park System, and for other purposes; to the Committee on Interior and Insular Affairs.

By Ms. WATERS:

H.R. 5907. A bill to amend the Public Health Service Act to provide for the conduct of expanded research and the establishment of innovative programs and policies with respect to traumatic brain injury, and for other purposes; jointly, to the Committees on Energy and Commerce and Post Office and Civil Service.

By Mr. WILLIAMS:

H.R. 5908. A bill to allow certain gaming activities to be conducted on Indian lands in the State of Montana for a 1-year period; to the Committee on Interior and Insular Affairs.

By Mr. WYDEN:

H.R. 5909. A bill to amend the Child Nutrition Act of 1966 to enhance competition among infant formula manufacturers and to reduce the per unit cost of infant formula for the special supplemental food program for women, infants, and children [WIC], and for other purposes; to the Committee on Education and Labor.

By Mr. ABERCROMBIE (for himself and Mrs. MINK):

H.J. Res. 541. Joint resolution to acknowledge the 100th anniversary of the January 17, 1893, overthrow of the Kingdom of Hawaii, and to offer an apology to native Hawaiians on behalf of the United States for the overthrow of the Kingdom of Hawaii; to the Committee on Interior and Insular Affairs.

By Mr. BROWN (for himself, Mr. BATEMAN, Mr. HUBBARD, Mr. DE LUGO, Mr. TANNER, Mr. BACCHUS, Mr. ROEMER, Mr. MILLER of California, Mr. MORAN, Mr. HARRIS, Mr. PARKER, Mr. MAVROULES, Mr. QUILLEN, Mr. SMITH of New Jersey, Mr. HORTON, Mr. SAXTON, Mr. PETERSON of Florida, Mr. PACKARD, Mr. TORRES, Mr. MONTGOMERY, Mr. HUCKABY, Mr. BILIRAKIS, Mr. LAGOMARSINO, Mr. WILSON, Mrs. MINK, Mr. KOLTER, Mr. MCCANDLESS, Mr. ROYBAL, Mr. BUSTAMANTE, Mr. HEFNER, Mr. KOPETSKI, Mr. SANGMEISTER, Mr. McMILLEN of Maryland, Ms. NORTON, Mr. HAMMERSCHMIDT, Mr. HAYES of Illinois, Mr. DOWNEY, Mr. SWETT, Ms. LONG, Mr. SPENCE, Mr. TOWNS, Mr. CLINGER, Mr. ERDREICH, Mr. MCGRATH, Mr. SOLARZ, Mr. PAYNE of New Jersey, Mr. HASTERT, Mr. SISISKY, Mr. WEISS, Mr. GUARINI, Mrs. LLOYD, Mr. PALLONE, Mr. WHITTEN, Mr. GONZALEZ, Mr. EVANS, Mr. LIPINSKI, Mr. FROST, Mr. ROE, Mr. COLEMAN of Texas, Mr. DE LA GARZA, Mr. LEHMAN of California, Mr. JENKINS, Mr. RHODES, Mr. LAFALCE, Mr. BONIOR, Mr. ANDREWS of Maine, Ms. HORN, and Mr. HATCHER):

H.J. Res. 542. Joint resolution designating the week beginning November 8, 1992, as "Hire a Veteran Week"; to the Committee on Post Office and Civil Service.

By Mr. FAZIO:

H.J. Res. 543. Joint resolution designating November 30, 1992, through December 6, 1992, as "National Education First Week"; to the Committee on Post Office and Civil Service.

By Mr. LEWIS of Georgia:

H.J. Res. 544. Joint resolution designating the week beginning February 7, 1993, as "Lincoln Legacy Week"; to the Committee on Post Office and Civil Service.

By Mr. MCCRERY:

H.J. Res. 545. Joint resolution proposing an amendment to the Constitution of the United States to provide for the limitation of service in the Congress; to the Committee on the Judiciary.

By Ms. MOLINARI (for herself, Ms. SNOWE, Mr. ESPY, Ms. LONG, Mr. KOPETSKI, Mr. McMILLEN of Maryland, Mr. RITTER, Mr. GORDON, Mr. SANDERS, Mr. LENT, Mr. GONZALEZ, Mr. HEFNER, Ms. PELOSI, Mr. HORTON, Mr. NATCHER, Mr. STAGGERS, Mr. HUBBARD, Mr. MCNULTY, Mr. KASICH, Mrs. KENNELLY, Mr. ANDREWS of New Jersey, Mr. ACKERMAN, Mr. WALSH, Mr. OBERSTAR, Mr. ANDREWS of Maine, Mr. HANSEN, Mr. BLILEY, Mr. MONTGOMERY, Mr. STUDDS, Mr. JACOBS, Mr. GINGRICH, Mrs. UNSOELD, Mr. OXLEY, Mrs. MINK, Mr. SPRATT, Mr. TANNER, Mr. WOLF, Mr. HAYES of Illinois, Mr. ROE, Mrs. MORELLA, Mr. SMITH of Texas, Mr. PICKETT, Mr. MAZZOLI, Mr. SCHEUER, Mr. HUGHES, Mrs. VUCANOVICH, Mr. BATEMAN, Mr. BERMAN, Mr. BEVILL, Mr. BORSKI, Mr.

BREWSTER, Mr. CLINGER, Mr. CLEMENT, Mr. STOKES, Mr. GUARINI, Mr. DICKS, Mr. CARDIN, Mr. DONNELLY, Mr. DWYER of New Jersey, Mr. ECKART, Mr. BUSTAMANTE, Mr. LAGOMARSINO, Mr. DELLUMS, Mr. ATKINS, Mr. FAZIO, Mr. FALEOMAVAEGA, Mr. FISH, Mr. FROST, Mr. GEJDENSON, Mr. GILCHREST, Mr. HAMILTON, Mr. SERRANO, Mr. HARRIS, Mr. HOCHBRUECKNER, Mr. HOYER, Mr. HYDE, Mr. LEHMAN of Florida, Mr. GEKAS, Mr. LANTOS, Mr. EDWARDS of Texas, and Mr. HAMMERSCHMIDT):

H.J. Res. 546. Joint resolution designating February 4, 1993, and February 3, 1994, as "National Women and Girls in Sports Day"; to the Committee on Post Office and Civil Service.

By Mr. RITTER (for himself, Mr. ANDERSON, Mr. ANNUNZIO, Mr. BILIRAKIS, Mr. BLACKWELL, Mr. BORSKI, Mr. BOUCHER, Mr. BUSTAMANTE, Mr. CALLAHAN, Mr. CARPER, Mr. CLEMENT, Mr. CLINGER, Mr. COLORADO, Mr. CONYERS, Mr. COUGHLIN, Mr. DE LUGO, Mr. DIXON, Mr. DOOLITTLE, Mr. DORNAN of California, Mr. DYMALLY, Mr. EMERSON, Mr. ENGEL, Mr. ESPY, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FAWELL, Mr. FISH, Mr. FROST, Mr. GEKAS, Mr. GILCHREST, Mr. GINGRICH, Mr. GONZALEZ, Mr. GOODLING, Mr. GUARINI, Mr. GUNDERSON, Mr. HALL of Ohio, Mr. HAMMERSCHMIDT, Mr. HANSEN, Mr. HATCHER, Mr. HAYES of Illinois, Mr. HAYES of Louisiana, Mr. HERTEL, Mr. HOCHBRUECKNER, Ms. HORN, Mr. HORTON, Mr. HOYER, Mr. HUBBARD, Mr. HYDE, Mr. JACOBS, Mrs. JOHNSON of Connecticut, Mr. JONES of North Carolina, Mr. KASICH, Mr. KOLTER, Mr. LAFALCE, Mr. LEHMAN of Florida, Mr. LENT, Mr. LEWIS of Florida, Mr. LIPINSKI, Mr. LIVINGSTON, Mr. MACHTLEY, Mr. MANTON, Mr. MCDADE, Mr. MCDERMOTT, Mr. MCGRATH, Mr. MCHUGH, Mr. McMILLEN of Maryland, Mr. MURPHY, Mr. MURTHA, Mr. OWENS of New York, Mr. PAYNE of New Jersey, Mr. PERKINS, Mr. PETRI, Mr. STALLINGS, Mr. TOWNS, Mr. WELDON, and Mr. WOLF):

H.J. Res. 547. Joint resolution designating May 2, 1993, through May 8, 1993, as "National Walking Week"; to the Committee on Post Office and Civil Service.

By Mrs. SCHROEDER (for herself, Mrs. LLOYD, Mr. DELLUMS, Mr. FOGLIETTA, Mr. HERTEL, Mr. HANSEN, Mr. SPRATT, Mr. McCLOSKEY, Mrs. BOXER, Mr. EVANS, Mr. BUSTAMANTE, Mr. BLAZ, Mr. LANCASTER, Mr. BILBRAY, Mr. HOCHBRUECKNER, Mr. WELDON, Mr. KYL, Mr. RAVENEL, Mr. BROWDER, Mr. ABERCROMBIE, Mr. MACHTLEY, and Mr. ANDREWS of Maine):

H. Con. Res. 359. Concurrent resolution expressing the sense of the Congress regarding the elimination of sexual harassment and sexual assault in the Armed Forces; to the Committee on Armed Services.

By Mr. JONTZ:

H. Res. 556. Resolution exercising the right of the House of Representatives to change the rules of the House of Representatives with respect to the "fast track" procedures for trade implementation bills; to the Committee on Rules.

By Mr. SAWYER (for himself, Mr. HAMILTON, Mr. SOLARZ, Mr. BERMAN, Mr. FEIGHAN, Mr. WEISS, Mr. OWENS of Utah, and Mr. HOYER):

H. Res. 557. Resolution concerning the plight of refugees and displaced persons in the former Yugoslav republic; to the Committee on Foreign Affairs.

By Mr. THOMAS of Georgia (for himself, Mr. SCHULZE, Mr. TAYLOR of

North Carolina, Mr. PAXON, Mr. HEFNER, Mr. SPENCE, Mr. YOUNG of ALASKA, Mr. SOLOMON, Mr. HANCOCK, Mr. GALLO, Mr. KOLTER, and Mr. TANNER):

H. Res. 558. Resolution congratulating Launi Meili and Bob Foth on their outstanding achievements in smallbore rifle 3-position competitions at the 1992 summer Olympic games; to the Committee on Post Office and Civil Service.

¶101.44 PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. JAMES introduced a bill (H.R. 5910) to clear impediments to the issuance of documentation for the vessel *Cherokee*; which was referred to the Committee on Merchant Marine and Fisheries.

¶101.45 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. GEJDENSON, Mr. MOODY, Mr. McMILLEN of Maryland, Mr. SPRATT, Mr. DICKINSON, Mr. BRYANT, Mr. COLORADO, Mr. ATKINS, Mr. DUNCAN, Mr. FALEOMAVAEGA, Mr. CONDIT, Mr. GILLMOR, Mr. SOLARZ, Mr. HOYER, Mr. BEVILL, and Mr. CHAPMAN.

H.R. 53: Mr. CALLAHAN.

H.R. 299: Mr. LEWIS of Florida and Mr. HASTERT.

H.R. 301: Mr. GEREN of Texas.

H.R. 520: Mr. GEJDENSON.

H.R. 576: Mr. TAYLOR of North Carolina.

H.R. 700: Mr. MACHTLEY.

H.R. 780: Mr. RICHARDSON.

H.R. 784: Mr. SHARP.

H.R. 911: Mr. HOBSON and Mr. TORRICELLI.

H.R. 1065: Mr. ACKERMAN.

H.R. 1167: Mr. BUSTAMANTE, Mr. MCCANDLESS, Mr. QUILLEN, Mr. TOWNS, Mr. SCHIFF, and Mr. LIPINSKI.

H.R. 1200: Mr. HASTERT.

H.R. 1900: Mr. SIKORSKI.

H.R. 2140: Mr. BLACKWELL.

H.R. 2164: Mr. KOPETSKI, Mr. HUGHES, Mr. PETERSON of Florida, Mr. MAZZOLI, Mr. NEAL of Massachusetts, Mr. DARDEN, and Mr. EDWARDS of Texas.

H.R. 2248: Mr. SISISKY, Mr. MAVROULES, and Mr. HOBSON.

H.R. 2362: Mr. CAMP.

H.R. 2385: Mr. GILCHREST.

H.R. 2595: Mr. HASTERT.

H.R. 2772: Mr. SLATTERY.

H.R. 2797: Mr. QUILLEN.

H.R. 2867: Mr. MRAZEK.

H.R. 3130: Mr. CHANDLER.

H.R. 3253: Mr. MATSUI and Mr. TOWNS.

H.R. 3373: Mr. COLEMAN of Texas.

H.R. 3441: Mr. KLUG and Mr. HASTERT.

H.R. 3450: Mr. FORD of Tennessee.

H.R. 3509: Mr. ANDREWS of Maine.

H.R. 3518: Mr. LEVINE of California and Mr. SAWYER.

H.R. 3545: Mr. SANTORUM.

H.R. 3561: Mr. THOMAS of California.

H.R. 3568: Mr. REED.

H.R. 3677: Mr. VISCOLOSKEY.

H.R. 3838: Mr. BRYANT and Mr. PACKARD.

H.R. 4045: Mr. ECKART and Mr. JOHNSTON of Florida.

H.R. 4053: Mr. FLAKE, Mr. FRANK of Massachusetts, Mr. MCCOLLUM, Mr. McCLOSKEY, Mr. EVANS, Mr. BUNNING, Mr. DE LUGO, and Mr. BRYANT.

H.R. 4066: Mr. SIKORSKI.

H.R. 4097: Ms. MOLINARI.

H.R. 4159: Mr. RICHARDSON.

H.R. 4174: Mr. CRANE.

H.R. 4206: Mr. KILDEE.

H.R. 4271: Mr. MFUME.

H.R. 4280: Mr. SHAYS.

H.R. 4288: Mr. HASTERT.

H.R. 4333: Mr. BUSTAMANTE.
 H.R. 4393: Mr. DOWNEY, Mr. JAMES, Mrs. LLOYD, Mr. MCCOLLUM, Mr. SPENCE, and Mr. UPTON.
 H.R. 4406: Mr. BURTON of Indiana.
 H.R. 4429: Mr. KOSTMAYER.
 H.R. 4431: Mr. HORTON, Mr. TOWNS, Mr. LAGOMARSINO, and Mr. MCCANDLESS.
 H.R. 4457: Mr. DIXON and Mr. CLAY.
 H.R. 4501: Mr. GEREN of Texas.
 H.R. 4542: Mrs. COLLINS of Illinois, Mr. STUDDS, and Mr. LEHMAN of California.
 H.R. 4585: Mr. SMITH of Oregon.
 H.R. 4620: Mr. ALLEN.
 H.R. 4624: Mr. ALLEN.
 H.R. 4645: Mr. ALLEN.
 H.R. 4647: Mr. ALLEN.
 H.R. 4649: Mr. ALLEN.
 H.R. 4651: Mr. ALLEN.
 H.R. 4655: Mr. ALLEN.
 H.R. 4656: Mr. ALLEN.
 H.R. 4657: Mr. ALLEN.
 H.R. 4659: Mr. ALLEN.
 H.R. 4660: Mr. ALLEN.
 H.R. 4662: Mr. ALLEN.
 H.R. 4663: Mr. ALLEN.
 H.R. 4666: Mr. ALLEN.
 H.R. 4667: Mr. ALLEN.
 H.R. 4668: Mr. ALLEN.
 H.R. 4669: Mr. ALLEN.
 H.R. 4671: Mr. ALLEN.
 H.R. 4673: Mr. ALLEN.
 H.R. 4680: Mr. ALLEN.
 H.R. 4683: Mr. ALLEN.
 H.R. 4764: Mr. SCHAEFER and Ms. SLAUGHTER.
 H.R. 4821: Mr. THOMAS of California.
 H.R. 4836: Mr. INHOFE, Mr. GEREN of Texas, and Mr. PACKARD.
 H.R. 4846: Mrs. BOXER.
 H.R. 4965: Mr. TRAFICANT, Mr. ACKERMAN, Mr. KOPETSKI, and Mr. RINALDO.
 H.R. 4966: Mr. TRAFICANT, Mr. ACKERMAN, Mr. KOPETSKI, and Mr. RINALDO.
 H.R. 4967: Mr. TRAFICANT, Mr. ACKERMAN, Mr. KOPETSKI, and Mr. RINALDO.
 H.R. 4968: Mr. TRAFICANT, Mr. ACKERMAN, Mr. KOPETSKI, and Mr. RINALDO.
 H.R. 4969: Mr. TRAFICANT, Mr. ACKERMAN, Mr. KOPETSKI, and Mr. RINALDO.
 H.R. 4983: Mr. GRANDY.
 H.R. 5003: Mr. ALLEN.
 H.R. 5016: Mr. ROE and Ms. MOLINARI.
 H.R. 5037: Mr. ATKINS and Mr. ROE.
 H.R. 5070: Mr. HERTEL and Mr. ANDREWS of Maine.
 H.R. 5125: Mr. MFUME.
 H.R. 5150: Mr. ORTON and Mr. ZELIFF.
 H.R. 5156: Mrs. LOWEY of New York and Mr. STUDDS.
 H.R. 5168: Mr. LIPINSKI.
 H.R. 5170: Mr. SHAYS.
 H.R. 5176: Mr. RANGEL.
 H.R. 5198: Mr. GOODLING.
 H.R. 5216: Mr. SANDERS, Mr. DICKS, and Mr. SOLARZ.
 H.R. 5217: Mr. FOGLIETTA.
 H.R. 5250: Mr. COSTELLO, Mr. LEWIS of Florida, and Mr. HUBBARD.
 H.R. 5276: Mr. BEREUTER.
 H.R. 5297: Mrs. MORELLA, Mr. GEJDENSON, Mr. EMERSON, Mr. DICKINSON, Mr. GALLO, Mr. BILIRAKIS, Mr. WILSON, Mr. ERDREICH, Mr. KOLBE, Mrs. BYRON, Ms. MOLINARI, Mr. ENGEL, Mr. THOMAS of California, Mr. JOHNSTON of Florida, Mr. KYL, Mr. SCHAEFER, and Mr. ANDREWS of Maine.
 H.R. 5304: Mr. OLVER.
 H.R. 5317: Ms. PELOSI.
 H.R. 5321: Mr. MORAN, Mr. KOLBE, and Mr. GALLO.
 H.R. 5340: Mr. LIVINGSTON, Mr. WALSH, Mr. STEARNS, Mr. KYL, Mr. LIPINSKI, and Mr. SCHIFF.
 H.R. 5367: Mr. KOPETSKI, Mr. BONIOR, Mr. LEHMAN of California, and Mr. HERTEL.
 H.R. 5374: Mrs. MORELLA, Mr. RAVENEL, and Mrs. BYRON.
 H.R. 5393: Mr. HASTERT and Mr. HOAGLAND.

H.R. 5403: Mr. JOHNSON of South Dakota.
 H.R. 5405: Ms. MOLINARI.
 H.R. 5423: Mrs. JOHNSON of Connecticut and Mr. FRANKS of Connecticut.
 H.R. 5424: Mr. ANDREWS of Maine.
 H.R. 5451: Mr. BEREUTER, Mr. BREWSTER, Mr. CHAPMAN, Mr. DARDEN, Mr. DORGAN of North Dakota, Mr. JACOBS, Mr. MONTGOMERY, Mr. ORTON, Mr. OXLEY, Mr. PARKER, Mr. PETERSON of Minnesota, Mr. RAY, Mr. RINALDO, Mr. ROWLAND, Mr. SCHEUER, Mr. SYNAR, and Mr. THOMAS of Georgia.
 H.R. 5478: Mr. DARDEN, Mrs. SCHROEDER, Mr. GORDON, and Mr. TALLON.
 H.R. 5499: Mrs. SCHROEDER.
 H.R. 5509: Mr. STUMP, Mr. LIGHTFOOT, Mr. MCCANDLESS, and Mr. DORNAN of California.
 H.R. 5512: Mr. WALSH, Mr. HUNTER, Mr. JOHNSON of South Dakota, Mr. OXLEY, Mr. CLINGER, Mr. ATKINS, Mr. GILMAN, Mr. GEREN of Texas, Mr. LEVINE of California, Ms. NORTON, Mr. MFUME, Mr. TOWNS, and Mr. LEWIS of Florida.
 H.R. 5521: Mr. BILIRAKIS.
 H.R. 5531: Mr. JOHNSON of South Dakota, Mr. BLACKWELL, and Mr. FIELDS.
 H.R. 5538: Mr. ATKINS, Mr. BRUCE, and Ms. KAPTUR.
 H.R. 5542: Mr. LOWERY of California.
 H.R. 5550: Mr. KLUG.
 H.R. 5553: Mr. GEREN of Texas.
 H.R. 5555: Mr. McMILLAN of North Carolina.
 H.R. 5559: Mr. McMILLAN of North Carolina, Mr. ARMEY, Mr. DICKS, Mr. JACOBS, Mr. CLAY, Mr. COLEMAN of Texas, Mr. STALLINGS, Mr. JEFFERSON, Mr. BUSTAMANTE, Mr. CHANDLER, Mr. ANTHONY, Mr. DOOLEY, Mr. MCGRATH, Mr. BOEHNER, Mr. TOWNS, Mr. BONIOR, Mr. TRAXLER, Mr. HANSEN, and Ms. HORN.
 H.R. 5572: Mr. ATKINS, Mr. FROST, Mr. WEISS, Mr. MONTGOMERY, Mr. EDWARDS of California, Mr. BATEMAN, Mr. CRAMER, Mr. TRAFICANT, Mr. ERDREICH, Mr. BLILEY, Mr. ENGEL, Mr. LENT, Mr. HOUGHTON, Mr. HAYES of Louisiana, Mrs. COLLINS of Michigan, Mr. CONYERS, Mr. DELLUMS, Mr. BEVILL, Mr. BROOMFIELD, Mr. DICKINSON, Mr. FORD of Tennessee, Mr. FRANK of Massachusetts, Mr. HASTERT, Mr. LAFALCE, Mr. LEHMAN of Florida, Mr. LEWIS of California, Mrs. LOWEY of New York, Mr. MANTON, Mr. MARTIN, Mr. MCDADE, Mr. MCGRATH, Ms. OAKAR, Mr. RINALDO, Mr. SHAYS, Ms. SLAUGHTER, Mr. SOLOMON, Mr. SPENCE, Mr. SUNDQUIST, Mr. WELDON, Mr. WOLPE, and Mr. SAWYER.
 H.R. 5580: Mr. WISE, Mr. PAYNE of Virginia, and Mr. FOGLIETTA.
 H.R. 5596: Mr. EWING and Mr. SKEEN.
 H.R. 5600: Mr. TORRES, Mr. ENGEL, Mr. MOLLOHAN, Mr. REED, and Mr. BENNETT.
 H.R. 5610: Mr. MACHTLEY and Mr. FIELDS.
 H.R. 5613: Mr. SERRANO and Mr. GEJDENSON.
 H.R. 5665: Mr. MACHTLEY.
 H.R. 5676: Mr. DOOLEY and Mr. NAGLE.
 H.R. 5682: Mr. ROE, Mr. FROST, Mr. LANTOS, Mr. SHAW, and Mr. BENNETT.
 H.R. 5699: Mr. KOLTER.
 H.R. 5703: Mr. FIELDS, Mr. LAGOMARSINO, Mr. LEWIS of Florida, and Mr. THOMAS of California.
 H.R. 5729: Mr. ZELIFF and Mr. SANTORUM.
 H.R. 5732: Mr. ROYBAL, Mr. RICHARDSON, Mr. ORTIZ, Mr. CONYERS, Mr. TOWNS, Mr. FLAKE, Mr. PASTOR, Mr. MFUME, Mr. STOKES, Mr. TORRES, and Mr. DELLUMS.
 H.R. 5743: Mr. BEREUTER, Mr. HUGHES, and Mr. LIPINSKI.
 H.R. 5745: Mr. HUTTO, Mr. ZELIFF, Mr. MURPHY, and Mr. FROST.
 H.R. 5747: Mr. FROST.
 H.R. 5758: Mr. WOLPE, Mr. ECKART, Mr. SLATTERY, Mr. KOLTER, Mr. FRANK of Massachusetts, Mr. HASTERT, Mr. NOWAK, Mr. BLACKWELL, Mr. CONYERS, Mr. JONTZ, Ms. HORN, Mr. GEKAS, and Mr. LIPINSKI.
 H.R. 5760: Mr. ESPY.

H.R. 5768: Mr. LIVINGSTON, Mr. ALLARD, Mr. SOLOMON, Mr. GEREN of Texas, and Mr. ZELIFF.
 H.R. 5776: Mr. BLAZ, Mr. DE LA GARZA, and Mr. JACOBS.
 H.R. 5790: Mr. CHAPMAN, Mr. VOLKMER, Mr. RAY, and Mr. SISISKY.
 H.R. 5800: Mr. ANTHONY, Mr. JENKINS, Mr. RANGEL, Mr. BUNNING, Mr. SHAW, Mr. SUNDQUIST, Mr. CHANDLER, Mr. GRANDY, Mr. TRAFICANT, Mr. JACOBS, Mr. FORD of Tennessee, Mr. RUSSO, and Mr. MAZZOLI.
 H.R. 5820: Mr. FRANK of Massachusetts, Ms. DELAURIO, Mr. SOLARZ, and Mr. BUSTAMANTE.
 H.J. Res. 19: Mr. SARPALIU.
 H.J. Res. 20: Mr. BILIRAKIS.
 H.J. Res. 239: Mr. RICHARDSON.
 H.J. Res. 325: Mr. SAXTON, Mr. ROSE, Mr. MORAN, Mr. HALL of Ohio, and Mr. WALSH.
 H.J. Res. 378: Mr. ROSE, Mr. LAFALCE, and Ms. HORN.
 H.J. Res. 380: Mr. HAYES of Illinois, Mr. LOWERY of California, Mr. KANJORSKI, Mr. MACHTLEY, Mr. LEACH, Mr. FROST, Mr. MARKEY, Mr. COBLE, Mr. COX of California, Mr. MOORHEAD, Mr. BAKER, Mr. KOSTMAYER, Mr. FAZIO, Mr. DELLUMS, Mr. ORTON, and Mr. SHAYS.
 H.J. Res. 393: Mr. FLAKE, Mr. OBEY, Mr. SHAYS, Mr. COSTELLO, Mr. HYDE, Mr. MICHEL, Mr. DYMALLY, Mr. YOUNG of Alaska, Mr. BEVILL, Mr. RHODES, Mr. CRAMER, Mr. GALLEGLY, Mr. HUTTO, Mr. PETERSON of Florida, Mr. MINETA, Mr. LEWIS of Florida, Mr. BENNETT, and Mr. HAMMERSCHMIDT.
 H.J. Res. 399: Mr. WELDON, Mr. GILCHREST, Mr. MACHTLEY, Mr. CRAMER, Mr. HASTERT, Mr. THOMAS of Wyoming, Mr. ARMEY, Mr. SUNDQUIST, and Mr. HOLLOWAY.
 H.J. Res. 400: Ms. KAPTUR, Mr. WAXMAN, Mr. ROYBAL, Ms. HORN, Mr. RAMSTAD, Mr. MOODY, Mr. TRAFICANT, Mr. KILDEE, Mr. COUGHLIN, Mr. KENNEDY, Mr. BORSKI, Mr. BACCHUS, Mrs. COLLINS of Illinois, Mr. MFUME, Mr. LEVINE of California, Mr. BRYANT, Mr. PASTOR, Mr. REED, Mr. SISISKY, Ms. OAKAR, Mr. RUSSO, Mr. MARTIN, Mr. MAZZOLI, Mr. MURPHY, Mr. NEAL of North Carolina, Mr. PAYNE of New Jersey, Mr. RAVENEL, Mr. SAVAGE, and Mr. YATRON.
 H.J. Res. 409: Mr. BACCHUS, Mr. SABO, Mr. RUSSO, Mr. CLINGER, Mr. GUNDERSON, Mr. STENHOLM, Mr. HALL of Ohio, Mr. LIVINGSTON, Ms. KAPTUR, Mr. PICKLE, Mr. KOLTER, Mr. HALL of Texas, Ms. MOLINARI, Mr. ROHRABACHER, Mr. ANDREWS of Maine, Mr. LIGHTFOOT, Mrs. MEYERS of Kansas, Mr. MYERS of Indiana, Mr. ANDREWS of Texas, Mr. SYNAR, Mr. TORRICELLI, Mr. ANDERSON, Mr. RICHARDSON, Mr. WHITTEN, Mr. GREEN of New York, Mrs. LLOYD, Mr. ROTH, Mr. EDWARDS of Oklahoma, Mr. DIXON, Mr. KANJORSKI, Mr. PAXON, Mr. SCHEUER, Mr. BENNETT, Mr. DELAY, Mr. LEWIS of Florida, Mr. MCDERMOTT, Mr. ROWLAND, Mr. JACOBS, Mr. BEVILL, Mr. RAHALL, Mr. EMERSON, Mr. HANCOCK, Mrs. MORELLA, Mr. MCEWEN, Mr. DORNAN of California, Mr. HERGER, Mr. MILLER of Ohio, Mr. THOMAS of California, Mr. BORSKI, Mr. WOLF, Mr. SMITH of New Jersey, Mr. NOWAK, Mr. MCDADE, Mr. MARKEY, Mr. SAXTON, Mr. PETRI, Mr. MCCANDLESS, Mr. ASPIN, Mr. HERTEL, Mr. PAYNE of Virginia, Mr. SISISKY, Mr. GONZALEZ, Mr. PICKETT, Mr. VALENTINE, Mr. KILDEE, Mr. DUNCAN, Mr. YATES, Mr. INHOFE, Mr. PAYNE of New Jersey, Mr. SMITH of Florida, Mr. MILLER of California, Mr. CARPER, Mr. LAROCO, Mr. DOOLEY, Mr. JONES of Georgia, Mr. FAZIO, Mrs. JOHNSON of Connecticut, Mr. GEJDENSON, Mr. VOLKMER, Mrs. LOWEY of New York, Mr. UPTON, Mr. MACHTLEY, Mr. BILIRAKIS, Mr. CRANE, Mr. WELDON, Mr. REED, Mr. VENTO, Mr. HOUGHTON, Mr. FRANK of Massachusetts, Mr. MORAN, Mr. WASHINGTON, Mr. ALLEN, Mr. SWIFT, Mr. PANETTA, Mr. WYLIE, Mr. DICKS, Ms. WATERS, Mr. MINETA, Mr. HUBBARD, Mr. SMITH of Oregon, Ms. SNOWE, Mr. SCHAEFER, Mr. ARMEY, Mr. WOLPE, Mr.

PASTOR, Mr. CONYERS, Mr. COYNE, Mr. OLVER, Mr. DOWNEY, Mr. RAVENEL, Mr. GILLMOR, Mr. HOLLOWAY, Mr. DONNELLY, Mr. ROGERS, Mr. ABERCROMBIE, Mr. ENGEL, Mr. ESPY, Mr. BROWN, Mr. WYDEN, Mr. GAYDOS, Mr. EDWARDS of California, Mr. GALLEGLY, Mr. MOODY, Mr. BOUCHER, Mr. OBERSTAR, Mr. GIBBONS, Mr. BILBRAY, Mr. SCHUMER, Mr. MRAZEK, Mr. OXLEY, Mr. CALLAHAN, Mr. TAYLOR of Mississippi, Mr. GRANDY, Mr. HANSEN, Mr. FORD of Michigan, Mr. SMITH of Iowa, Mr. MCHUGH, Mr. SMITH of Texas, Mr. ANDREWS of New Jersey, Mr. BEILENSON, Mr. LEWIS of Georgia, Mr. JOHNSON of South Dakota, and Mr. WEISS.

H.J. Res. 431: Mr. GLICKMAN, Mr. JOHNSON of South Dakota, Mr. MARKEY, Mr. PORTER, Mr. LEACH, Mr. DUNCAN, Mr. ROE, Mr. CHANDLER, Mr. BILIRAKIS, Mr. WALSH, Mr. FORD of Michigan, Mr. OWENS of New York, and Mr. RUSSO.

H.J. Res. 440: Mr. SCHEUER.

H.J. Res. 450: Mrs. MINK.

H.J. Res. 455: Mr. TRAFICANT and Ms. KAPTUR.

H.J. Res. 458: Mrs. BENTLEY, Mr. BORSKI, Mr. CARR, Mr. CARDIN, Mr. DWYER of New Jersey, Mr. HOCHBRUECKNER, Mr. HOYER, Mr. JACOBS, Mr. JEFFERSON, Mr. LANCASTER, Mr. MCHUGH, Mr. MANTON, Mr. NATCHER, Mr. JOHNSON of South Dakota, Mr. OLIN, Mr. TANNER, and Mr. WHEAT.

H.J. Res. 463: Mr. BALLENGER, Mr. COYNE, Mr. ENGEL, Mr. GREEN of New York, Ms. HORN, Mr. HOYER, Mr. MILLER of Washington, Mr. RAMSTAD, Mr. RHODES, Mr. SCHEUER, Ms. SNOWE, Mr. MOORHEAD, and Mr. LAGOMARSINO.

H.J. Res. 467: Mr. KLECZKA, Mr. BILIRAKIS, Ms. WATERS, Ms. SLAUGHTER, Mr. LANCASTER, Mr. DIXON, Mr. ASPIN, Mr. AUCOIN,

Mr. LEWIS of Florida, Ms. PELOSI, Mr. BATEMAN, Mr. DE LA GARZA, Mr. DYMALLY, Mr. NATCHER, Mr. MOAKLEY, Mr. GILLMOR, Mrs. BENTLEY, Mr. JEFFERSON, Mr. BALLENGER, Mr. CONYERS, Mr. BLILEY, Mr. HOCHBRUECKNER, Mr. DORGAN of North Dakota, Mr. SAXTON, Mr. LEHMAN of Florida, Mr. SPENCE, Mr. MCGRATH, Mr. MOODY, Mr. SCHAEFER, Mr. ROE, Mr. SARPALIUS, Mr. VOLKMER, Mr. LANTOS, Mr. HAMMERSCHMIDT, Mr. OLVER, Mrs. LOWEY of New York, Mr. MCHUGH, Mr. OBERSTAR, Mr. SAWYER, Mr. GEREN of Texas, Mrs. KENNELLY, Mr. WASHINGTON, Mr. ABERCROMBIE, Mrs. BOXER, Mrs. BYRON, Ms. DELAURO, Mr. EDWARDS of Texas, Mr. FRANK of Massachusetts, Mrs. UNSOELD, Mr. GEPHARDT, Mr. DOOLITTLE, Mr. TANNER, Mr. ARCHER, Mr. COOPER, Mr. CALLAHAN, Mr. SYNAR, Mr. CAMPBELL of Colorado, Mr. WHEAT, Mr. CLAY, Mr. BERMAN, Mr. CARDIN, Mr. CARPER, Mr. OBEY, Mr. CLINGER, Mr. RITTER, Mr. BONIOR, Mr. BROWN, Mr. HALL of Ohio, and Mr. RANGEL.

H.J. Res. 469: Mr. GEPHARDT, Mr. BLACKWELL, Mr. MARTINEZ, Mr. YOUNG of Florida, Mr. HAYES of Louisiana, Ms. WATERS, Mr. BRUCE, Mr. APPELEGATE, Mr. STAGGERS, Mrs. BENTLEY, Mr. JOHNSON of South Dakota, Mr. HOYER, Mr. BUNNING, Mr. COSTELLO, Mr. OBERSTAR, Mr. DICKS, Mr. WISE, Mr. MCHUGH, Mr. BROWN, Mr. LOWERY of California, Mr. FLAKE, Mr. GREEN of New York, Mr. KILDEE, Mr. MARTIN, Mr. ASPIN, and Mr. FOGLIETTA.

H.J. Res. 479: Mr. PICKETT and Mr. RAY.

H.J. Res. 520: Mr. ERDREICH and Mr. JOHNSON of South Dakota.

H.J. Res. 531: Mr. MRAZEK, Mr. DORGAN of North Dakota, Mr. HORTON, Mr. RANGEL, Mr. KOPETSKI, Mr. FROST, Mr. HALL of Ohio, and Mr. LEHMAN of Florida.

H. Con. Res. 12: Mr. PACKARD.

H. Con. Res. 180: Mr. JOHNSTON of Florida.

H. Con. Res. 223: Mr. FASCELL and Mr. JOHNSTON of Florida.

H. Con. Res. 298: Mr. AUCOIN, Mr. RAMSTAD, Mr. CARR, Mr. TOWNS, Mr. BACCHUS, and Mr. RAY.

H. Con. Res. 337: Mr. PETRI and Mr. SENBRENNER.

H. Con. Res. 344: Mr. HAYES of Illinois, Mr. McNULTY, Mr. LIPINSKI, Mr. FROST, Mr. GILCHREST, Mr. EVANS, Mr. ATKINS, Mr. CONYERS, Mr. HAMILTON, Mr. DOWNEY, Mr. MAVEROULES, Mr. LANCASTER, and Mrs. COLLINS of Illinois.

H. Con. Res. 347: Mr. PORTER and Mr. CUNNINGHAM.

H. Con. Res. 353: Mr. WOLPE, Mr. ATKINS, Mr. PANETTA, Mr. FROST, Mr. TALLON, Mr. ANDREWS of Maine, and Mr. TRAXLER.

H. Res. 272: Mr. MATSUI.

H. Res. 448: Mr. LEVINE of California and Mr. SAWYER.

H. Res. 490: Mr. GINGRICH, Mr. MCHUGH, and Mr. MORAN.

H. Res. 515: Mr. BACCHUS, Mr. GUARINI, Mr. HOCHBRUECKNER, and Mr. CARPER.

H. Res. 538: Mr. FROST, Mr. McEWEN, Mr. OWENS of Utah, Mr. LIPINSKI, and Mr. JONES of Georgia.

¶101.46 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1443: Ms. PELOSI.